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LOK SABHA DEBATES

(Thirteenth Session)

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LOK SABHA

Monday, May 1, 1961/Vaisakha 11, 1883 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Repayment of Advance to TISCO and IISCO

\+

*1799. **Shri Ram Krishan Gupta:**
Shri S. M. Banerjee:
Shri Pangarkar:
Shri Indrajit Gupta:
Sardar Iqbal Singh:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 923 on the 15th December, 1960 and state:

(a) whether the terms of repayment of the advance made to TISCO and IISCO have since been finalised; and

(b) if so, the details thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). It has been decided that interest at 5 per cent per annum is chargeable on these advances from 1st July, 1958. The Tariff Commission is examining the fixation of fair retention prices for iron and steel for TISCO and IISCO for the period 1960-62. The Tariff Commission has been requested to include in the proposed retention prices an element for payment of interest and repayment of the advances made to TISCO and IISCO. The terms of repayment will be settled as soon as a decision has been taken on the retention prices to be allowed to TISCO and IISCO.

Shri Ram Krishan Gupta: The hon. Minister just now stated that the rate of interest has been fixed at 5 per cent from 1st July 1958. May I know what is the total amount of interest chargeable from these companies from 1st July 1958 and out of this how much has been realised so far?

Sardar Swaran Singh: The advances to TISCO and IISCO are of the order of about Rs. 10 crores each. Five per cent on that can be easily calculated. I think this amount is being shown in their account, but I do not think that actual realisation has taken place yet.

Shri Ramanathan Chettiar: May I know whether any interest-free loan to the extent of Rs. 10 crores was advanced to Indian Iron and Steel Company and a similar amount to Tata Iron and Steel Company? What has happened to those loans? Have they been repaid?

Sardar Swaran Singh: These are those very loans.

Shri Ramanathan Chettiar: What about the interest-free loans?

Mr. Speaker: At one stage it was said they were interest-free. Is interest being charged from the outset or from a later period?

Sardar Swaran Singh: Interest is being charged from the 1st of July 1958.

Mr. Speaker: That is, how many years after the grant?

Sardar Swaran Singh: In July 1953 Government entered into an agreement with the Indian Iron and Steel Company by which a special advance of Rs. 10 crores was granted to the company. That means from July 1953

to July 1958, for about five years, no interest was charged. With regard to Tatas the loan of Rs. 10 crores was given in May 1954. For that also for about five years.

Shri Hem Barua: May I know, Sir, what are the special reasons for granting them loan interest-free for so many years? Was it part of the original agreement with them?

Sardar Swaran Singh: The House may recall that this matter has come up more than once. An agreement had been entered into as far back as 1953 about expansion. The terms of the advance were settled at that time. It was also agreed there that the loans were to be repaid by including an element in the retention price payable to them. To charge interest and pay them the interest as well as the principal by giving them an element in retention price is more a mechanism. It does not go to the root of the matter. We must recognise that regard being had to the various considerations, the main consideration being the desire of Government to expand the steel-making capacity in the country, this special arrangement had been entered into with the steel companies.

Mr. Speaker: This has come up before the House often.

Shri Hem Barua: If I may interpret it like this, was the retention price increased haphazardly in order to enable the company to pay the interest?

Mr. Speaker: I am not going to allow these insinuations. Why should he make these insinuations? He may put a question.

Shri Hem Barua: I shall put a question. May I know whether it is a fact that the retention price was increased in order to enable the companies to pay the interest?

Sardar Swaran Singh: Not yet, Sir. We should be prepared to face that position when the recommendation of the Tariff Commission comes. Let us understand it very clearly that according to the terms of this advance, both the interest as well as the principal will be repaid by including an element in the retention price.

Shri Ram Krishan Gupta: May I know whether the payment of this advance will depend upon the retention price and the approximate time by which the retention price will be fixed?

Sardar Swaran Singh: Retention price is fixed even today. For the current period, that is from 1st of April 1960 for a two-year period, a reference to the Tariff Commission has already been made and a final retention price will be fixed on the recommendations of the Tariff Commission. There is an interim retention price and payment is being made on that basis and a final adjustment will be made when a final decision is taken after the recommendation of the Tariff Commission.

Dr. Sushila Nayar: Is it not a fact that according to a statement that was made in this House, the retention prices of TELCO are higher than the prices for the Chittaranjan locomotives, and, if so, whether it has been rectified by now?

Sardar Swaran Singh: TELCO is different from TISCO.

Purchase of Raw Materials for Steel Plants

\+

*1800 { **Shri Morarka:** / **Shri Nathwani:** / **Shri Rajeshwar Patel:** }

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that iron ore, limestone and dolomite were purchased from the contractors for the steel plants in the Public Sector as their own sources of supply were not ready since they went into production;

(b) if so, the price paid for each item; and

(c) the estimated cost of these items if they were supplied by the original sources?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) The steel plant in Bhilai obtained about 64,000 tons of iron ore during the monsoons of 1959. Except for this, it has been getting its supplies of iron ore, limestone and dolomite regularly from its own sources. Durgapur is planned to obtain its supplies of iron ore partly from Bolani mines and partly from the market mines. Similarly, it has to obtain its supplies of limestone from market mines. For Rourkela an iron ore mine has been developed in Barsua. There have been initial difficulties in the operation of the mine and the steel plant, therefore, continues to obtain the bulk of its requirements from other sources. Limestone and dolomite is planned to be supplied partly from a new mine which is being opened in Purnapani and partly from market mines in Satna-Maihar. The mines in Purnapani will not be ready until towards the end of 1962. Till then, Rourkela has to obtain its limestone and dolomite entirely from other sources.

(b) The price of iron ore bought by Rourkela from alternative sources is Rs. 11·50 per ton FOR. The price of limestone and dolomite has generally been from Rs. 9 to Rs. 13.50 FOR depending on the quality of the limestone.

(c) While it is difficult to estimate precisely the likely cost of iron ore in Barsua and limestone in Purnapani until after the mines have worked for some time, it may have been roughly a little over Rs. 10 per ton FOR for iron ore and about Rs. 10 per ton FOR for limestone as against an average of about Rs. 11·50 and Rs. 12 respectively for supplies from alternative sources.

Shri Morarka: The statement says that so far as limestone and dolomite supplies are concerned, the steel plants' own sources would not be ready till the end of 1962. Most of the plants have already gone into production. May I know why there was lack of planning that these sources of raw materials would not be ready till the end of 1962 when the steel plants have gone into production?

Sardar Swaran Singh: If the hon. Member had said this with regard to the supply of limestone for Rourkela I would have accepted that. But he has, in his enthusiasm, made it much too general. I have given it in the reply itself that so far as the supply of imestone to Rourkela is concerned, it has ultimately to be from Purnapani. That mine is being developed. Some delay has been caused. In the interval limestone for Rourkela is being supplied from the existing sources. I may add for the information of the hon. Member that the existing sources are also in that locality, Brimitrapur, which is quite near Rourkela steel plant.

Shri Morarka: I could not follow the answer of the hon. Minister, particularly what he meant by the 'enthusiasm of the Member'. The statement itself says:

> "Limestone and dolomite is planned to be supplied partly from market mines in Satna-Maihar. The mines in Purnapani will not be ready until towards the end of 1962."

My question was.....

Sardar Swaran Singh: I would request the hon. Member to read the next line which says—"Till then, Rourkela has to obtain its limestone and dolomite entirely from other sources."

Shri Morarka: In getting them from other sources, high prices have had to be paid. When the plant came into production in 1959-60 the main sources of raw material supply could not be ready, and they will not be ready till 1962. That was my question.

Mr. Speaker: Was it intended that that ought to be the main source of supply of the raw material, or was it thought of later on?

Sardar Swaran Singh: No, the intention from the very beginning was that Rourkela should get its limestone from Purnapani. It is about 20 to 25 miles roughly from Rourkela. Already, about 10 miles from Rourkela, or even less than that, we have the existing mines of Brimitrapur area, as it is called. The mines in Purnapani took longer to develop. A new railway line and all that had to be laid. Therefore, in the meantime the limestone for this plant has been purchased from the other sources.

Shri Rajeshwar Patel: What will be the total quantity of limestone and dolomite that will be purchased from other sources till 1962, and what will be the total cost of the same?

Mr. Speaker: The additional cost—if this had been put up earlier, what would be the difference between the two?

Sardar Swaran Singh: So far as limestone is concerned, it is not so much the difference in cost, although that is also very material. But the most important thing about limestone is on account of the quality and the short supply. The limestone occurrences in our country are not as plentiful and as dispersed as one would wish them to be. Therefore, the intention from the very beginning was to develop special sources for the supply of limestone. Nandini mine was developed for Bhilai. That is regularly supplying limestone for Bhilai. Similarly, a decision was taken about Purnapani for Rourkela. Near Durgapur there are no proper limestone quarries. So we have to depend upon other sources.

Mr. Speaker: Is the hon. Minister in a position to state as to what is the difference in cost between the existing source from which the supply is taken and the other one that is developed? The only point is, if we take so much time and if so much money has been spent, why could not all these things have been organised earlier?

Sardar Swaran Singh: I wish they had been organised earlier, but it takes time.

Mr. Speaker: What is the difference in cost?

Sardar Swaran Singh: The difference will be about a rupee or a rupee and a half per ton.

Shri Rajeshwar Patel: What is the total quantity that will have been consumed till 1962? That will give us an idea of the total money that will be lost.

Sardar Swaran Singh: As regards the future I will require some calculations to be made. The hon. Member is asking till 1962.

Shri Rajeshwar Patel: Up to 1962 the hon. Minister has said himself.

Mr. Speaker: Hon. Members should think of all such things before tabling a question. The hon. Member could have easily asked, "What was the output or the quantity taken during the last year? What is the quantity of limestone consumed last year?" Then he could easily multiply it by as many years as have elapsed and get the figure he wants.

Shri Ranga: Were not all these considerations taken into account when the plans and estimates for the schemes were being passed?

Sardar Swaran Singh: They were taken into consideration.

Shri Ranga: Then why is it that after so many years Government is now considering wherefrom they can possibly get it, how much they have to spend, how much of additional haulage and so on? Does it not show that it is bad planning?

Sardar Swaran Singh: So far as the conclusion that the hon. Member wants to draw is concerned I cannot come in his way; he is entitled to draw any conclusion. But in the case of raw material supply, this is one of the greatest headaches in any organised industry like the steel plant,

where limestone, iron ore, coal, dolomite etc. have to be supplied in requisite quantity and quality. Always search continues for locating even better sources, and therefore the House should be a little more indulgent rather than jump to hasty conclusions.

Mr. Speaker: They must be glad that at least now it has been discovered.

Shri T. B. Vittal Rao: When the location was decided we were told it was because the important raw materials necessary were nearby. Now we find that it is far away and it is not developed.

Sardar Swaran Singh: I do not accept it, because Brimitrapur area from which it is being supplied is nearer than Purnapani to Rourkela.

UNESCO Aid for Technical Education Programme

*1802. **Shri Ajit Singh Sarhadi:** Will the Minister of **Education** be pleased to state:

(a) how far the UNESCO aid has been negotiated or promised in foreign exchange component of the technical education programme and the Scientific research programme; and

(b) the countries that have already promised aid in this regard.

The Minister of Education (Dr. K. L. Shrimali): (a) UNESCO has approved assistance to the extent of $1,587,800 (Rs. 75,60,952.38) for the period 1961-62.

(b) The assistance given by UNESCO under its various programmes is not identified with individual countries.

Shri Ajit Singh Sarhadi: May I know if this assistance is for particular projects in connection with the technical education programmes or the discretion is with the Goevrnment of India to spend it anywhere it likes?

Dr. K. L. Shrimali: This assistance will be given to the following institutions, namely, the Indian Institute of Technology, Bombay—and if the hon. Member would also like to know the field in which the assistance is given, I can give that also—the field of assistance will be chemical engineering, electro-chemical technology, fuel technology, silicate technology, electronics, machine tools, etc., the Indian Institute of Technology, Kharagpur, and the field of assistance is mechanical handling and civil engineering; Banaras Hindu University, in the field of metallurgy; Council of Scientific and Industrial Research in the field of leather technology and electronics; Madras University, in the field of chemical engineering; Central Arid Zone Research Institute, Jodhpur, in the field of arid zone; and the Indian School of Mines, Dhanbad, in the field of petroleum technology.

Shri Ajit Singh Sarhadi: What is the criterion kept in view for the allocation of these funds?

Dr. K. L. Shrimali: The criterion is the maximum utilisation of the assistance available from UNESCO. The needs of the institutions are taken into account before they are recommended to the UNESCO.

Shri T. B. Vittal Rao: We are getting aid from West Germany for the Indian Institute of Higher Technology, Madras. May I know whether it has been independently done or routed through UNESCO—because the hon. Minister has not included that in his list.

Dr. K. L. Shrimali: What I have given is the direct assistance from UNESCO.

स्कूल के बच्चों के लिये सस्ते कैनवस के बैग

*१८०३. **श्री भक्त दर्शन :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि प्रधान मंत्री ने केन्द्रीय शिक्षा सलाहकार मंडल की पिछली बैठक में यह सुझाव दिया था कि स्कूल जाने वाले बच्चों के लिये सस्ते कैनवस के बैग बनाये

जाय, ताकि वे अपनी किताब और टिफन कैरियर कंधों पर लटका कर ले जा सकें ; और

(ख) यदि हां, तो इस सुझाव पर क्या कार्यवाही की जा रही है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) जी, हां ।

(ख) प्रधान मंत्री ने केन्द्रीय सलाहकार बोर्ड के सामने जो भाषण दिया था उस की एक प्रति सभी राज्य सरकारों को भेज दी गई है । हम भी स्कूल के बच्चों के लिए ऐसे सस्ते थैले तैयार करने के लिए कार्रवाई कर रहे है जो संघीय क्षेत्रों के स्कूलों में काम में लाये जा सकें और साथ ही राज्यों के लिए भी एक नमूने का काम दे सकें ।

I shall read it in English also.

The Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir.

(b) Th address of the Prime Minister to the Central Advisory Board of Education has been sent to all the State Governments. We are also taking action to design an inexpensive kind of school haversack which can be brought into use in the schools in the Union Territories and serve as a model for the States too.

श्री भक्त दर्शन : मैं जानना चाहता हूं कि जो इस समय इस तरह के थैले बाजार में मौजूद हैं, उनमें और इस नये प्रकार के थैले में कौन सी विशेषता होगी ?

डा० का० ला० श्रीमाली : जो हमारे इस वक्त के थैले हैं उनको बच्चे हाथ में लेकर चलते हैं और इससे उनकी कमर सीधी नहीं रह पाती है, कभी इधर और कभी उधर झुकती है । हैवरसैक जो हैं वे पीछे रहेंगे और कमर जरा सीधी रहेगी, यह फायदा है ।

श्री भक्त दर्शन : क्या माननीय मंत्री जी बता सकेंगे कि जो नये थैले हैं वे, जुलाई से जो सैशन शुरू होने वाला है तब तक, क्या बाजार में उपलब्ध हो सकेंगे ?

डा० का० ला० श्रीमाली : मैं निश्चित रूप से नहीं कह सकता हूं कि उपलब्ध हो सकेंगे या नहीं । लेकिन इसकी जांच पड़ताल हो रही है और एक कमेटी डायरेक्टोरेट ने मुकर्रर की है । कोशिश की जाएगी कि जितनी जल्दी हो सके, ये बाजार में आ जाय ।

श्री पती कृष्ण मेहता : मैं जानना चाहती हूं कि ये थैले क्या सरकार की तरफ से बच्चों को दिए जायेंगे या मां बाप को खरीदने पड़ेंगे और उनका दाम क्या होगा ?

डा० का० ला० श्रीमाली : थैले मां बाप ही खरीदेंगे । सरकार की कोशिश यह है कि सस्ते से सस्ते वे बाजार में आ सकें ।

Shri Chintamoni Panigrahi: Even for preparing a bag for school children does Government think it necessary to appoint a committee? What is the work of this committee?

Dr. K. L. Shrimali: First of all, the haversack has to be designed. Also, it is our effort to find out the cheapest possible haversack. It will be a good thing if one or two persons go into it—not a large committee but a departmental committee. They are looking into matter. It is always useful to have this matter considered by more than one person. Therefore a committee was considered necessary.

श्री प० ला० बारूपाल : जो थैले बनाये जायेंगे क्या किसी प्राइवेट कम्पनी द्वारा बनाये जायेंगे या गवर्नमेंट की किसी फैक्ट्री द्वारा ?

डा० का० ला० श्रीमाली : इन सब मामलों पर विचार किया जा रहा है ।

Shri Thirumala Rao: Are Government aware of the large number of books that little children are carrying on their shoulders or in their boxes, the number directly increasing

along with the class? Have Government got any idea of the minimum number of books and notebooks which each boy is asked to carry to the school?

Dr. K. L. Shrimali: That question does not arise out of the main question.

Shri Thirumala Rao: How are they going to design the haversack to carry all those books, without knowing the number of books and note-books that are going to sit on the back of the boy?

Mr. Speaker: Evidently, what the hon. Member wants to know is this, whether if a bag is stiched once, it will go on expanding according to the number of books and note-books that increase from yeor to year as the boy progresses.

Dr. K. L. Shrimali: The bag obviously cannot continue to expand but, certainly, the committee will take into account the needs and requirements of the school-children.

Mr. Speaker: There may be some rubber bag which may go on expanding.

Shri C. R. Patabhi Raman: Will Government give instructions so that the bags may be strong enough to carry the books, or see that the number of books may be limited?

Dr. K. L. Shrimali: All these factors will be taken into account by the committee.

Mr. Speaker: Next question.

Shri D. C. Sharma: What about tiffin-carrier?

Mr. Speaker: There are many more important questions to come.

Dr. K. L. Shrimali: If hon. Mem-Members have any suggestions, they may kindly forward them to me, and I shall pass them on to the Directorate which is looking into this matter.

Shri D. C. Sharma: What is being done with regard to the tiffin-carriers?

Mr. Speaker: The hon. Minister does not know; he has appointed a committee.

Dr. K. L. Shrimali: Nothing is to be done for the tiffin-carrier. Tiffin can be carried in the carrier itself. Where is the need for another carrier for tiffin?

तोपखाना प्रशिक्षण केन्द्र, बीकानेर

*२३०५. श्री पन्नालाल बारूपाल : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान के बिकानेर जिले में भारत सरकार द्वारा एक तोपखाना प्रशिक्षण केन्द्र खोलने की योजना अन्तिम रूप से निश्चित हो गई है

(ख) क्या यह सच है कि इस क्षेत्र में आने वाले ग्रामों के नागरिकों ने बीकानेर के निकट एवं उक्त क्षेत्र में आने वाले गावों को उठाने के सम्बन्ध में राज्य सरकार एवं जिलाधीश तथा कलेक्टर, बीकानेर को विरोध-पत्र दिया है ;

(ग) यदि हां, तो इस संबंध में क्या निर्णय किया जा रहा है ; और

(घ) यदि यह तोपखाना प्रशिक्षण केन्द्र बीकानेर के कहीं और अलग उजाड़ में स्थापित किया जाये तो सरकार को क्या हानि है ?

प्रतिरक्षा मंत्री के सभा सचिव (श्री फतहसिंह राव गायकवाड़) : (क) सरकार का राजस्थान में सेना के लिए एक तोपखाना प्रशिक्षण केन्द्र खोलने का विचार है, और कई प्रतिवेदन स्थान विचाराधीन हैं।

(ख) तथा (ग). बीकानेर जिला के कई गांवों के रहने वालों से भारत सरकार को एक प्रतिवेदन-पत्र प्राप्त हुआ था, और वह राज्य सरकार को भेज दिया गया था ।

तोपखाना प्रशिक्षण केन्द्र खोलने के लिए भूमि गृहण करने की किसी भी योजना में कुछ स्थानीय वासियों का विस्थापित होना अनिवार्य होता है । तदपि ऐसे ही व्यक्तियों को पर्याप्त मुआवजा दिया जाता है ।

(घ) पैरआबाद क्षेत्रों में उपयुक्त स्थान मिल पाने की दशा में कोई कठिनाई नहीं होती । परन्तु अपने देश में सर्वथा गैराबाद ऐसे क्षेत्रों मिल पाना असंभव है, जो और कठिनाईयों से विमुक्त हों ।

Some Hon. Members: In English also.

Shri Fatesinhrao Gaekwad: (a) The Government of India have a proposal to set up in Rajasthan a field firing range for the Army and certain alternative sites are under consideration.

(b) and (c). A representation was received by the Government of India from the inhabitants of certain villages in Bikaner District and was forwarded to the State Government.

In any scheme of acquisition of areas for field firing, some displacement of local population is inevitable. Adequate compensation is however paid to such persons.

(d) In the event of a site being available in an uninhabited area which is suitable no difficulty arises. But it is not possible to find in our country totally uninhabited areas and which are free from other difficulties.

श्री प० ला० बारूपाल : क्या मैं माननीय मंत्री जी से जान सकता हूं कि इस तोपखाना प्रशिक्षण क्षेत्र में कितने गांवों के प्रत्येक परिवार को अधिक से अधिक और कम से कम कितना मुआवजा दिया जायेगा ?

Shri Fatesinhrao Gaekwad: The number of villages is 62, out of which 40 are unpopulated.

श्री प० ला० बारूपाल : मेरे पूछने का मतलब यह है कि प्रत्येक परिवार को कम से कम और अधिक से अधिक कितना मुआवजा दिया जायेगा और वह किस रूप में दिया जायेगा ।

Shri Fatesinhrao Gaekwad: It is too early to say that at the moment.

Dr. M. S. Aney: May I know the alternative sites which are under consideration?

The Minister of Defence (Shri Krishna Menon): Now that the question is before the House, Government would like to say that in regard to this area, certain representations were received from a particular part of that area, and particularly from our hon. colleague, the Maharaja of Bikaner, who is a Member of this House, that Government should very carefully examine this. In view of these representations, and even in spite of the fact that the State Government have agreed, they sent out a new reconnaissance party, and that party has reported, and that report is under examination. On the face of it, the report is unfavourable for abandoning the site that we have at present.

Dr. Sushila Nayar: In view of the fact that Government are drawing up so many schemes to relieve unemployment, may I know whether Government have any proposal to fix the amount of compensation and the mode of payment in such a way that it would rehabilitate the displaced persons and not just give them money which they can spend, and after they become destitutes.

Shri Krishna Menon: There is a certain well laid-down procedure in regard to this matter. It is a matter for the State Government.

Dr. Sushila Nayar: There are some State Governments which are very careful about this matter. For instance, in Punjab, they have generally rehabilitated those persons on some different lands. But in some other

places, they are just giving them money. Is it not the responsibility of the Government of India to see that all these projects taken up by them do not increase the number of destitutes and unemployed in the country, and that they give the necessary advice to the State Governments?

Shri Krishna Menon: I have said that it is a matter for the State Government. But it is another question whether I can give directions to the State Government. Usually, all these things are taken into consideration. Actually, they are compensated on very generous terms.

Mr. Speaker: The Defence Ministry of the Government of India is interested in acquiring the land, and they do so through the agency of the State Government. They leave all the money that is paid for this purpose with them, and the State Government can organise and can give it as they like. What is the good of pursuing that matter?

Dr. Sushila Nayar: In some cases, the State Governments need extra money to develop the land to be alloted to the displaced persons. Is the Defence Ministry prepared to give that necessary amount of money to enable the State Government to do the needful?

Mr. Speaker: We are going away from one subject to another. The general rehabilitation of all the 400 millions is necessary and not merely of these dispalced persons. Of course, I am not saying anything against these displaced persons. I have no individual opinion. But all that I can say is that this question does not arise out of the main question. The question is whether sufficient money is paid for purposes of their being rehabilitated; thereafter, it is the duty of the State Governments.

Dr. Sushila Nayar: May I just explain?....

Mr. Speaker: I have understood question.

Dr. Sushila Nayar: The compensation is paid according to certain rules governing the payment of compensation, and that money is not adquate to enable them to break new land and rehabilitate those persons. It is necessary to do something in this connection. Otherwise, what is the point of our having schemes to relieve unemployment, if we go on increasing unemployment as we acquire land for one project or another?

Mr. Speaker: The hon. Minister will take this suggestion into account that there must be alternative accommodation or that land etc. for rehabilitation must be provided, and compensation must be paid for that purpose adequately.

Shri Krishna Menon: I have no authority to do that. It is really a matter for the State Government. There are well laid down procedures, and if we did anything contrary to that, Public Accounts Committee and the Auditor-General and everybody else will comment against it.

Shri Ranga: Have Government given any consideration to the suggestion made by Shri Karni Singhji, one of our colleagues here, in the course of his speech here in this House, on the lines suggested in part (d) of the question, and if so, whether that suggestion has been conveyed to the Rajasthan Government? May I know also the reaction of the Rajasthan Government to this suggestion that alternative sites are available where there no cultivated lands at present and that due consideration should be given to that idea?

Shri Krishna Menon: Yes, I answered that, even without the question being asked. In view of the questioner being a colleague of ours, Government had taken this initiative themselves. We have referred this matter to the Rajasthan Government. The Rajasthan Government did not think that we should change this, because, to do justice to one, we may do injustice to somebody else. In spite of that, the reconnaissance party

went there to look at any other parts. So far as firing range is concerned, so long as space is there, we do not mind where it is. The reconnaissance party has made its report. *Prima facie*, it does not seem to be in favour of changing the site but we are examining it.

श्री प० ला० बारूपाल : क्या मैं माननीय मंत्री जी से जान सकता हूं कि इस परिक्षण केन्द्र में कितने विद्यार्थी रहेंगे और उन के रहने की व्यवस्था स्थायी होगी या अस्थायी होगी ? क्या उन के लिये पक्के मकान भी बनाए जाएंगे ?

Shri Krishna Menon: There are no trainees on a firing range. It is too dangerous to put trainees on a firing range. I understand the question is, how many trainees will there be on that range. You do not put trainees on these ranges. It is for field exercise for the Army. It always arises from the nature of new equipment.

Acquisition of Land at Jorhat by I.A.F.

*1806. **Shrimati Mafida Ahmed:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that vast areas of private lands have been acquired by the Indian Air Force stationed at Jorhat, Assam;

(b) if so, whether the land owners have been duly compensated; and

(c) if not, the reason thereof?

The Deputy Minister of Defence (Sardar Majithia): (a) Private lands to the extent of 583 acres during 1942-44, and 40 acres during 1957 have been acquired for the Indian Air Force at Jorhat, Assam.

(b) and (c). Compensation for 583 acres has been paid in full. For the remaining 40 acres "on account" payments amounting to Rs. 60,000 have been made pending scrutiny by the Military Lands & Cantonments Service of the assessment recently made by the Collector, Jorhat.

Shrimati Mafida Ahmed: May I know the amount spent so far for payment of compensation to landowners?

Mr. Speaker: How much has been already spent by way of compensation?

Sardar Majithia: Rs. 60,000 have been paid on account, which roughly amounts to 80 per cent of the value of this land.

Shri Sanganna: What is the number of families affected?

Sardar Majithia: I am afraid I have not got that information with me just now.

The Minister of Defence (Shri Krishna Menon): This is an air field which has been in use for a long time. The issue now is one of a property claim. We have completed the acquisition of the whole area except 5 acres, that is to say, all the area now in the air field is government property. What was not requisitioned and de-requisitioned has back to the owners. As regards the claim in regard to 5½ acres, there is some difficulty about it. That is being gone into. There is no question of rehabilitation. This is an old air field. What is more, it is in an area which we cannot abandon.

Shri Amjad Ali: Is it a fact that the landholders were—if I may be allowed to use the expression—over-awed by the defence department and the lands were taken possession of without starting acquisition proceedings? Also, what was the nature of the compensation, the rate at which they were given compensation?

Sardar Majithia: There is no question of the landholders being over-awed. Proper proceedings were taken. As I said, most of the land was acquired in 1942—44 during the second world war. So far as compensation is concerned, as I said, it is the local authorities which give what compensation has to be paid which the Government of India, after due scrutiny, accept.

Shri Amjad Ali: Was this land acquired under the local Acquisition Act or the Central Acquisition Act?

Sardar Majithia: At the moment, I have not got that information. But as I said, due steps were taken, whatever steps necessary, in this particular case.

Shrimati Mafida Ahmed: May I have an idea of the rules under which lands are being requisitioned or acquisitioned by the defence authorities?

Mr. Speaker: The hon. Member will refer to the book in the Library.

Shrimati Mafida Ahmed: The relevant documents which I received from the owner of the land show that an amount of about Rs. 17 lakhs is still lying unpaid.

Mr. Speaker: Rs. 17 lakhs?

Shrimati Mafida Ahmed: Yes.

Shri Krishna Menon: That is not correct. The position is that compensation amounting to Rs. 1,26,066 was assessed and paid in full. Portions of the remaining requisitioned areas were released from time to time. What remained was 40 acres. Out of these 40 acres, we acquired 35 acres, and 5 acres remain. There is no question of granting any other consideration or having an argument about money. The process is that we tell the local authorities that the land has to be acquired. The acquisition is done by the Collector who assesses it and the Government of India normally agree, unless there is something very unusual about it.

Mr. Speaker: Next question.

Shrimati Mafida Ahmed: In view of the fact . . .

Mr. Speaker: The hon. Member must know that land acquisition proceedings are always taken by the local executive officers. The amount is deposited in the district court. Whoever has got a claim must apply to the district court where the relative claims are decided. The money has to be drawn from the court. All that the Central Government can do is to sit the money with the district court. I do not think the Central Government have any more responsibility. What is the good of pursuing this matter?

Shri Amjad Ali: There are two Acts. One is the local Act and the other is the Central Act. The Minister is not in a position to say under which Act this action was taken. The rate of compensation in both Acts varies.

Shri Hem Barua: May I submit that there is another trouble?

Shri Mafida Ahmed: The lands wert not acquisitioned or requisitioned under proper procedure. They were taken by force. Not only ordinary lands but tea plantation lands and pucca premises have also been acquired by force.

Shri Amjad Ali: Over-awed.

Shri Krishna Menon: This was acquired in 1942-44. A question was asked under what rule this action was taken and compensation given. It is under rule 9 of the Requisitioning and Acquisition of Immovable property Act, 1952. It says:

> "An authoritry to whom the powers of the Central Government have been delegated shall, as far as may be, associate with itself the local officer of the Central Government concerned with the property in fixing compensation under clause (a) of sub-section (1) of section 8, and obtain the approval of the Centarl Government in the administrative Ministry concerned".

That is all that it says, that is to say, we acquired it under the Requisitioning and Acquisition of Immovable Property Act. Actually, the whole work is done by the State Govern-

ment, the Collector or other person responsible.

Shri Ranga: It was acqiured in 1957 and till now compensation has not been paid. Do I understand that the Central Government cannot be held to be responsible at all in any way to the people who have got to suffer due to non-payment of the compensation for all these years?

Shrimati Mafida Ahmed: This is the telegram which I have received.

Mr. Speaker: Unfortunately, none of the the hon. Members seems to be a lawyer. Now, all proceedings are taken not by the hon. Defence Minister here but only through the agency of the local executive officers. There is no question of force, in that sense. As a matter of fact, land acquisition is always by force; it is not by willing consent. Only those people whose property is not worth anything at all will willingly surrender it saying that it costs Rs. 10 lakhs when it is actually worth only Rs. 10,000. All the others refuse to give. The notification is issued, whether they like it or not. If acquisition of property in this way is construed as taking it by force, they must submit to that force in the interest of the country.

Then the money is deposited. Those who have claims must file their claims there, and get the money from the court. The money is not paid direct to the people concerned by the department here. The hon. Defence Minister was not in existence in 1944 as Defence Minister. What is the good of pursuing this matter? There is no meaning in pursuing this matter further. Next question.

Shri Hem Barua: May I submit..... *(Interruptions)*

Mr. Speaker: I have heard sufficiently.

Shri Hem Barua: The Minister has stated that he has deposited the money with the local officers there. But the wheels of the Assam Government are moving in a slow and slaggish manner and the money is not distributed. Therefore, I ask whether the Government of India have ascertained from the Government of Assam if the money is properly distributed or distributed at all by them.

Shri Krishna Menon: The district authorities have the option to draw even to the extent of 80 per cent against our accounts without asking.

Mr. Speaker: Next question.

Shrimati Mafida Ahmed *rose—*

Mr. Speaker: Order, order; I am not going to allow the hon. Member to put a question. She may resume her seat.

Dr. Sushila Nayar: I wish to raise a point of order, Sir.

Shrimati Mafida Ahmed: A further 112 acres are going to be acquired now. This is a telegram.... *(Interruptions)*.

Mr. Speaker: Order, order. Is there no rule? Shall I have a different set of rules for ladies as against men here? I said, the hon. Member must resume her seat.

Shrimati Mafida Ahmed: The victims.....

Mr. Speaker: Each individual case cannot be taken up here. It has been sufficiently explained. The local authorities are entitled to draw in advance up to 80 per cent without looking into these claims. Therefore all that has been done which is possible. If individual cases are to be brought up here we will have a thousand individual cases to be brought. I have allowed several opportunities to the hon. Member. She ought not to make big a small matter of her State.

What is the point of order?

Dr. Sushila Nayar: Sir, my point of order is this. You were pleased to state that the matter related to 1944 when the Defence Minister was not there. Is it implied that we cannot ask questions about things which

have been started before the present Government of India came into existence and inherited all the liabilities and responsibilities of the previous Government? (*Interruption*).

Mr. Speaker: True.

Otherwise, I would not have allowed this question at all. I have allowed this question; I have allowed a number of supplementaries also. If they still want to say that the Defence Minister is standing in the way as if he is committing a wrong thing I cannot allow it. Incidentally, all this is a continuous process and Government is responsible for whatever has been done when it has taken up the Government. There is no question about it.

Next question.

Suspension of Examinations of Utkal University

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*1807. { **Shri B. C. Mullick:** / **Shri Kumbhar:**

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the I.A. and B.A. examinations held under Utkal University in Orissa have been suspended *sine die* all of a sudden in the last week of March, 1961;

(b) if so, the reasons therefor;

(c) whether any enquiry has been conducted for the suspension of the examinations;

(d) if so, whether any responsibility has been fixed; and

(e) the steps taken in the matter?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) Non-receipt of printed question papers from presses entrusted with the work.

(c) to (e). The matter is being looked into.

Shri B. C. Mullick: Is it a fact that the Syndicate of the University has set up a committee to go into this question?

Dr. K. L. Shrimali: I have no information; I have asked the Ministry to make enquiries into the matter.

Shri Hem Barua: Are Government aware of the fact that because the examinations are postponed like that, some of the students find great difficulties even if they want to get into other Universities? Is this aspect being examined or not?

Dr. K. L. Shrimali: The examinations were held a little later, I admit, due to some bungling somewhere. All that we can do is to have the matter looked into.

Shri Chintamoni Panigrahi: The hon. Minister has also been to Orissa after the introduction of President's rule. May I know whether he has had any consultation with either the Governor or any educational authority there with regard to the bungling in the Utkal University for many years? Even the funds of the University are being misappropriated.

Mr. Speaker: This does not arise out of the main question.

Dr. K. L. Shrimali: This question does not arise, Sir.

Mr. Speaker: Examinations do not depend upon bungling.

Shri Chintamoni Panigrahi: May I know whether these question papers were given for printing inside the Orissa State or outside the State?

Dr. K. L. Shrimali: I have no information on that. The University has written to us that certain dates had been fixed for the examination; but the question papers did not come to the Registrar by that date. Therefore, the examination had to be postponed. I cannot at the present moment say where the mistake was. I have asked the Ministry to look into the matter. That is all I can say at the present moment.

Central Secretariat Service Officers

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*1808. { **Shri D. C. Sharma:** / **Ch. Ranbir Singh:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that officers belonging to Central Secretariat Service selected for appointment through U.P.S.C. against temporary posts in the Government of India are required to resign from the Central Secretariat Service and have to forego their lien;

(b) whether this criterion is applicable to the personnel of other services under the Government of India for recruitment to temporary posts; and

(c) if the reply to part (b) above be in the negative, whether Government propose to remove the discrimination against the Central Secretariat Service Officers?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). A statement is placed on the Table of the House. [*See* Appendix VI, annexure No. 33].

Shri D. C. Sharma: May I know why there are double standards, one standard for the general services and one standard for the Central Secretariat Services? How is it that these two irreconcilable standards have been allowed to go on in the Government of India at the same time?

Shri Datar: There are no double standards at all. What has been done is when an officer has been holding a permanent post in the Central Secretariat Service, if he wants to accept a temporary post, he cannot keep this post also temporarily. That is why he has to resign.

Shri D. C. Sharma: If this is what is being done in the case of other Ministries, why is it not being done in the case of the Central Secretariat services?

Shri Datar: The hon. Member presumes that it is being done by the other Ministries.

Shri D. C. Sharma: May I know if that does not obtain—against F.R. 14?

Shri Datar: That question has been fully considered. Now, here, in this case we have explained that when an officer is holding a permanent post and if he wants to apply for some other post under the Government which is known as ex-cadre post, then, he cannot keep his lien here and accept that post.

Mr. Speaker: That is the rule.

Shri Krishna Chandra: It is not a fact that many employees of this Central Secretariat Service are at present, in contravention of the practice mentioned in the statement, working on deputation on ex-cadre temporary posts and may I know whether there is any discrimination observed amongst those on deputation as to the number of years each is allowed to work on deputation? If so, how is this discrimination justified?

Shri Datar: The hon. Member has read a very long question. But, I would point out to him that going out on ex-cadre post on deputation is different from accepting a new service under Government.

Inter-State Sales Tax on Hosiery Goods

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*1810. { **Shri A. M. Tariq:** / **Shri Ram Krishan Gupta:**

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that when hosiery goods are bought from Bombay for consumption in other States no inter-State Sales tax (Central Tax) is charged on inter-State transactions;

(b) whether it is also a fact that interstate sale tax or central sales tax is charged on hosiery goods when bought from Delhi and Calcutta for

consumption in other States by the customers of those States at the rate of 7 per cent;

(c) whether Government are aware that to avoid this increase of 7 per cent which customers have to pay when goods are purchased from Delhi and Calcutta they now go for purchase of goods from Bombay;

(d) whether this is not detrimental to the hosiery manufacturers at Delhi and Calcutta which are small industrial concerns; and

(e) if so, what action is being taken to remove this discrimination in the administration of Central Sales Tax?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) to (e). A statement giving the information is laid on the Table of the Sabha.

STATEMENT

Parts (a) and (b). Under the Central Sales Tax Act, 1956, inter-State sales to unregistered dealers or consumers are taxable at the rate of 7 per cent subject to the condition that if a commodity is generally exempt from tax in a State, the inter-State sales of that commodity from that State would also be exempt. In Bombay, under the local law, ready-made garments and other articles prepared from cotton, woollen and artificial silk fabrics are exempt from tax if they are sold at a price not exceeding Rs. 5 per piece. Consequently, inter-State sales of such articles costing Rs. 5 or less per piece to consumers of other States are also exempt. Such exemption is not available under the local Sales Tax laws of Delhi and Calcutta and therefore inter-State sales from these places to consumers of other States are taxable at the rate of 7 per cent. Articles sold in inter-State trade at a price exceeding Rs. 5 per piece are liable for tax at the rate of 7 per cent in Bombay, Delhi and Calcutta alike.

Part (c). Government are not aware of any such movement to Bombay.

Parts (d) and (e). Inter-State trade is generally carried on between registered dealers and sales to them are taxable at the rate of 1 per cent only. Sales to unregistered dealers or consumers taxable at the rate of 7 per cent are few. The small levy of 1 per cent in the case of inter-State sales to registered dealers is not considered detrimental to the trade.

श्री अ० मु० तारिक : स्टेटमेंट को देखने से यह पता चलता है कि बम्बई में यह एक्जम्पशन है लेकिन दिल्ली और कलकत्ता में नहीं है तो मैं यह जानना चाहता हूं कि क्या हुकूमत के पेशेनजर कोई ऐसी तजवीज है जिसके कि जरिए एक यूनिफार्म ला बनाया जाय जोकि तमाम स्टेट्स जैसे पंजाब, दिल्ली, बम्बई, कलकत्ता और मद्रास सब के लिए यकसां हो ?

[اسٹیٹمنٹ کو دیکھنے سے پتہ چلتا ہے کہ بمبئی میں یہ ایگزمپشن ہے لیکن دلی اور کلکتہ میں نہیں ہے تو میں جاننا چاہتا ہوں کہ کیا حکومت کے پیش نظر کوئی ایسی تجویز ہے جس کے ذریعہ ایک یونیفارم لا بنایا جائے جو کہ تمام اسٹیٹس جیسے پنجاب - دلی - بمبئی - کلکتہ اور مدراس سب کے لئے یکساں ہو -]

श्री ब० रा० भगत : जी नहीं । कानून जो पार्लियामेंट ने पास किया है उसमें यह है कि इंटर स्टेट सेल्स टैक्स लगेगा । स्टेट में जो सेल्स टैक्स होगा उसको उससे जोड़ दिया गया है । कानून ऐसा ही बना है ।

श्री अ० मु० तारिक : कानून तो है लेकिन क्या सरकार यह जरूरत महसूस करती है कि इस कानून में कोई ऐसी तरमीम की जाय ताकि दिल्ली, पंजाब और कलकत्ता उस से फायदा उठा सकें और यह जो गड़बड़

हो रही है उस ो ठीक करने की क्या कोई तजवीज है ?

[قانون تو ہے لیکن کیا سرکار یہ ضرورت محسوس کرتی ہے کہ اس قانون میں کوئی ایسی ترمیم کی جائے تاکہ دلی - پنجاب اور کلکتہ اس سے فائدہ اٹھا سکیں اور یہ جو کڑ بڑ ہو رہی ہے اس کو ٹھیک کرنے کی کوئی تجویز ہے -]

श्री ब० रा० भगत : कोई गड़बड़ नहीं हो रही है ।

Tickets for Admission to Taj Mahal etc.

*1811. **Shri D. C. Sharma:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether a proposal to introduce tickets for admission to Taj Mahal, Fatehpur-Sikri, Akbar's Tomb, Etemad-ud-Daula's Tomb and Arambagh at Agra is under consideration of the Department of Archæology;

(b) whether it is also a fact that there is great resentment in public against this proposal; and

(c) if so, the steps taken or proposed to be taken in the matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir. With your permission, I would like to add that in the case of Akbar's Tomb fees are already being charged.

(b) Some letters have appeared in newspapers against the levy of charges.

(c) Every thing will be taken into account before a final decision is arrived at.

Shri D. C. Sharma: May I know if the hon. Minister has studied all the letters which have appeared in the Press and also the communications which he has received from the public and examined the reasons for which the public do not want any tax for admission to the Taj Mahal and other places in Agra?

Shri Humayun Kabir: I have examined all these matters and also discussed this matter in the Consultative Committee of Parliament. And the general consensus is that some fee should be charged, especially for entry into the Taj at night.

Shri D. C. Sharma: May I know if this kind of fees is being charged for admission to any monument of historical importance in any part of India? If not, why is it being done in the case of Agra?

Shri Humayun Kabir: I have just now told him that fees are already being charged for Akbar's tomb in Agra. If the hon. Member will refer to the Extraordinary Gazette Notification of October 15, 1959, he will find a list of the monuments where fees have been charged for a long time.

Shri Braj Raj Singh: What are the rates proposed for each place Taj Mahal, Fatehpur Sikri, Akbar's Tomb, etc.? What is the estimate of the income which will accrue to the Government on account of these fees?

Shri Humayun Kabir: We have not taken a final decision yet. My idea is, for entry into the Taj Mahal after sunset, the fee may be something like 20 nP. It is a very insignificant amount. The main purpose is to see that the monuments are not damaged. It has been our experience that almost every full moon night in the Taj there is so much of damage that this monument which is *one of the* finest buildings in the world, if not *the* finest building, is in danger and therefore to control this it has become necessary to charge some fees.

श्री अ० मु० तारिक : अभी वजीर साहब ने फ़रमाया कि ताज महल में दिन को कोई टिकट नहीं होगा, लेकिन रात को लगाया जायगा और यह इस लिये कि इस यादगार को बचाया जाये। मैं यह जानना चाहता हूं कि हुकूमत के पेशे-नजर या हुकूमत के दिमाग़ में कौन सी बात आई है कि वह समझती है कि टिकट लगाने से यादगार बच सकती है। टिकट लगाने से यादगार कैसे बच सकती है ?

[ابھی وزیر صاحب نے فرمایا کہ تاج محل میں دن کو کوئی ٹکٹ نہیں ہوگا - لیکن رات کو لگایا جائیگا اور وہ اس لئے کہ اس یادگار کو بچایا جائے - میں یہ جاننا چاہتا ہوں کہ حکومت کے پیش نظر یا حکومت کے دماغ میں کون سی بات آئی ہے کہ وہ سمجھتی ہے کہ ٹکٹ لگانے سے یادگار بچ سکتی ہے - ٹکٹ لگانے سے یادگار کیسے بچ سکتی ہے -]

एक माननीय सदस्य : आदमी कम हो जायेंगे ।

Shri Humayun Kabir: My hon. friend does not realise a very simple thing. At night there are a very large number of people who come and who are not always of a very desirable type. Whenever there is any kind of control it enables us to keep account of the people who are coming and we have found that wherever this has been introduced it has an immediate and salutary effect.

Shri A. M. Tariq: Sir....

Mr. Speaker: I am not going to allow him. He may resume his seat. I have called Seth Achal Singh.

Shri Humayun Kabir: I may add that if the hon. Member will himself visit Taj one evening, he will have the answer himself.

सेठ अचल सिंह : क्या माननीय मंत्री महोदय यह बताने का कष्ट करेंगे कि किन कारणों के आधार पर यह टिकट लगाने का विचार किया जा रहा है ?

श्री हुमायूं कबिर : मैं ने अभी अंग्रेजी में इस का जवाब दिया है। (*Interruptions.*)

Mr. Speaker: Order, order. The hon. Minister has just now said that he came to know that all sorts of people come there.... (*Interruptions*). That is to say, there are persons who came for visiting Taj and there are other persons who have no such business: Local persons may also come there.... (*An hon. Member*: Loafers). The hon. Minister says that if some tax is imposed, he will be able to restrict it. If any hon. Member has got a different suggestion, he may kindly communicate it to him. If the Government does one thing, then it is asked: why have you done this? If it has not done anything, then it is asked: Why have you not done this? I am surprised at this.... (*Interruptions*). A small matter is made big. Next question. There are a large number of questions still and I want to call question No. 1820, also.

Babina Tank Training Centre

*1813. **Dr. Sushila Nayar:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Government have asked for acquisition of some more land for the Babina Tank Training Centre;

(b) if so, whether the compensation has been paid for the land acquired already; and

(c) how many families have been displaced by the land acquisition in this connection in the past and how many more families are likely to be displaced by the new acquisition?

The Parliamentary Secretary to the Minister of Defence (Shri Fatehsinhrao Gaekwad): (a) The Government of India have decided to acquire some more land for the Babina Field Firing Ranges.

(b) Compensation for major portion of the land has already been paid. In respect of the remaining land, offers have been made or are in the process of being made to the concerned persons by the local civil authorities.

(c) Information is being collected and will be laid on the Table of Lok Sabha as soon as possible.

Dr. Sushila Nayar: Is the compensation that is being paid for the land now being acquired the same as compensation paid for the land that was acquired in the past or is it more?

The Minister of Defence (Shri Krishna Menon): The compensation that will be paid for the land that has to be acquired will be what is recommended to us by the local authorities working for the State Government.

Dr. Sushila Nayar: Is this compensation on par with that paid for land acquired in the adjoining area of Madhya Pradesh or is it different? If it is different, what are the reasons thereof?

Shri Krishna Menon: The reasons are that Madhya Pradesh is another State and they have another administration. The hon. Member has referred to the land acquired in the past. In fact we are not acquiring any land in M.P. This firing range has a part of it in Madhya Pradesh and another part in the district of Jhansi in Uttar Pradesh. The compensation for the Madhya Pradesh part has been higher for reasons known to themselves. But I think it is only fair to say that inspite of the fact that we have no legal obligations, the Government of India have paid Rs. 3½ lakhs in addition on the recommendation of the Uttar Pradesh Government. People who have built houses have been paid fully. During the war when this land was not used they came back and occupied it. They were squatting in that land and they expect the Government to pay compensation. As the hon. Members know, it is public money and we have got to account for it somewhere.

Dr. Sushila Nayar: Is the hon. Minister aware that the compensation paid during the war was one anna per square foot? Is the hon. Minister also aware that the people came back because the Government of India said that they did not require the land the State Government invited them to come back? They have rebuilt the houses. Is there any justification for the Government of India not to pay compensation for the houses built by them when they are asking them to vacate them now? They have built new houses after coming back.

Shri Krishna Menon: The facts stated by the hon. Member are not in accord with what we know about them..... (*Interruptions*).

Dr. Sushila Nayar: Sir, I want to say....

Mr. Speaker: The hon. Minister does not agree with the correctness of the facts. Next question....

Shri Krishna Menon: I may add, Sir, that we have now agreed with the U.P. Government that an arbitrator should be appointed as provided for in the Requisition and Acquisition of Immovable Property Act of 1952 to whom should be referred all cases where compensation offered is not acceptable. A reference has been made to the U.P. Government who have agreed to this line of action.

Shri Raghunath Singh: Sir, I request that question No. 1822 be taken up. It is a very important question. I gave notice to you already. It relates to the visit of a former commander of Armed Forces of Pakistan.

Mr. Speaker: I will call question No. 1820.

Arrangements for General Elections—1962

***1820. Shri Shree Narayan Das:** Will the Minister of Law be pleased to state:

(a) whether it is a fact that a decision not to mention the name of the party to which any candidate might belong in the ballot paper to be used in the next general elections to the Legislatures has been taken by the Election Commission;

(b) if so, whether the Government of India or the various political parties were consulted in this regard; and

(c) what was the reaction of the Government or of the political parties in this connection?

The Deputy Minister of Law (Shri Hajarnavis): (a) Yes, Sir. The Election Commission has taken a decision that the party affiliations of the contesting candidates will not be shown on the ballot paper.

(b) The representatives of the various political groups in the Lok Sabha were consulted by the Election Commission.

(c) A suggestion that the names of parties, recognised or otherwise, be printed on the ballot paper below the names of candidates was made by some spokesmen. An alternative suggestion was also made by some other spokesmen that, if it is not possible to indicate the party affiliations of the candidates of the unrecognised parties also on the ballot paper, the party affiliations should not be shown at all even in the case of candidates sponsored by the recognised parties.

Shri Shree Narayan Das: What were the points that led them to this decision?

Shri Hajarnavis: Obviously, to treat all the Parties alike.

Shri Shree Narayan Das: I want to know whether the views of the Government were taken by the Election Commission? That has not been answered.

Shri Hajarnavis: The Government did not come in. The Election Commission consults the various parties and these Parties were there—Congress Party, the PSP, the Communist Party, the United Progressive Party, the Socialist Party, the Republican Party, the Ganatantra Parishad, the Hindu Mahasabha and the Swatantra Party.

Shri Shree Narayan Das: What was the consensus of opinion among the political parties that were invited in this regard?

Shri Hajarnavis: As I said, some representatives were of the opinion that the names of all the parties were to be printed but certain others felt that it should not be indicated at all.

Shri Shree Narayan Das: I wanted to know the consensus of opinion. He had been saying something else. How many were for this suggestion and how many were against it?

Mr. Speaker: Are the names of parties printed in the ballot paper? I do not know if it is so in the South India: I have not seen it being printed.

An Hon. Member: It was so in the bye-elections held.

Mr. Speaker: I do not know whether the names of parties are printed in the ballot paper. Are they printed?

12 hrs.

Shri Ranga: This time, when a conference of the leaders of the parties was called by the Election Commission, we got the impression that the Election Commission was impressed with the suggestion made that the names of the parties should be indicated under the names of the candidates concerned, where the parties are recognised for the pur-

poses of symbols and so on. Now, I would like to know what the decision of the Election Commission is and what the Government wants to do in this matter.

Shri Hajarnavis: The Government have no suggestion to make to the Election Commission, but the various parties made suggestions to the Election Commission and the minutes recorded by the Election Commission would indicate the following:

> "A suggestion that the names of the parties recognised or otherwise be printed on the ballot paper below the names of the candidate found almost unanimous support. So far, the practice is to give the names of the recognised parties only and show the candidates of other parties as Independents. An alternative suggestion was also made by the spokesmen of the parties that, if it is not possible to show party affiliations of the candidates of unrecognised parties also on the ballot paper, party affiliations should not be shown at all even in the case of candidates sponsored by the recognised parties. The Election Commission has since taken a decision that the party affiliations of the contesting candidates will not be shown on the ballot paper even where they belong to recognised parties."

Shri Ranga: So, may we take it that the names of the parties, whether they are recognised or not, will not be indicated below the names of the candidates? Is that the decision?

Mr. Speaker: They will be shown as Independents. (*Interruptions*).

Shri Ranga: Does that not, in fact, further create a disability in the case of those parties which are not recognised, because the parties which are recognised were already given a symbol? There is no need for their party names to be indicated. The difficulty arises only in the case of those parties which are not recognised at all. (*Interruptions*).

Mr. Speaker: Order, order. All these suggestions could be made to the Election Commission.

Shri Raghunath Singh: May I request you to allow Question No. 1822 to be answered? I mentioned it even half an hour ago. It is a very important question. (*Interruptions*).

Mr. Speaker: Order, order. I created an exception only in favour of one question. I am not going to allow all questions to be brought up. I thought that in the order of preference Question No. 1820 should be called. Of course, I got notice that Question No. 1822 may be answered. But I cannot give preference to it over Question No. 1820. Only one question can be called in a day giving it preference over other questions.

Shri Raghunath Singh: Question No. 1822 is a very important one. I made a special request that it may be answered. It concerns the defence of our country.

Mr. Speaker: Order, order.

Shri Raghunath Singh: I also gave notice of my desire, in respect of that question, half an hour before.

Mr. Speaker: There is a definite rule. I give exception in the case of any particular question which is very important, and with the consent of the House practically, I would allow one question to be taken up in this way. I am not going to allow all questions which are in the Order Paper to be treated in this way, and create exceptions in favour of a number of questions! One question was allowed today, which was earlier in point of time and in number. The hon. Member must rest satisfied with the written answer that is available to him re: No. 1822.

Shri Raghunath Singh: That is not enough.

Mr. Speaker: That is all that he can get. Nothing more.

WRITTEN ANSWERS TO QUESTIONS

नई दिल्ली की सड़कें

*१८०१. श्री शिभूति मिश्र : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) नई दिल्ली की किन-किन सड़कों के विदेशी नाम बदल कर भारतीय नेताओं अथवा भारत के अन्य सुसंस्कृत नामों पर रखे जा चुके हैं;

(ख) क्या सरकार ने कोई योजना बनाई है कि एक निश्चित अवधि के अन्दर सभी सड़कों के नाम सुसंस्कृत नाम रख दिये जायें; और

(ग) यदि हां, तो वह क्या है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) १५ अगस्त, १९४८ के पश्चात नई दिल्ली की जिन सड़कों के नाम बदले गये हैं, उनके पुराने तथा नए नामों का एक विवरण पत्र सभा पटल पर रख दिया गया है । [देखिये परिशिष्ट ६, अनुबंध संख्या ३४]

(ख) और (ग). पंजाब नगर पालिका अधिनियम, १९११ के अनुबंध १७९(१) के अधीन नई दिल्ली नगर पालिका को यह पूर्ण अधिकार प्राप्त है कि वह गलियां (streets) के नाम जो भी उचित समझे, बदल दे । अतः इस विषय में सरकार द्वारा कोई योजना बनाने का प्रश्न नहीं उठता ।

Regional Vocational Training Colleges

*1804. **Shri L. Achaw Singh:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that four regional training colleges are being started in the country for training in vocational courses with multipurpose secondary schools attached to them; and

(b) if so, where these colleges are being opened and the number of trainees to be admitted in these colleges annually?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir. They are intended for training the teachers required for the subjects, particularly the subjects in the practical stream of the multipurpose Secondary Schools.

(b) The details are being worked out.

Lubricating Plant

*1809. **Shri Muhammed Ellas:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that Government have decided to ask Italy's E.N.I. and a private U.S.-Dutch firm to prepare project reports for the establishment of lubricating plant which is to come under public sector; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) No, Sir.

(b) Does not arise.

Prohibition

*1812. **Shrimati Ila Palchoudhuri:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Union Government have offered to those State Governments who have so far not introduced prohibition that it will bear the loss incurred by them in revenue if they introduced partial prohibition;

(b) if so, the details of the offer;

(c) the names of States to which the offer has been made; and

(d) their reaction to the offer?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) to (d). Do not arise.

Gang of Sales Tax Evaders

*1814. **Shri P. C. Borooah:** Will the Minister of **Finance** be pleased to state:

(a) whether the attention of Government has been drawn to the news in the Hindustan Times dated the 13th April, 1961, regarding the discovery of a gang of sales tax evaders;

(b) if so, how far is the report true; and

(c) for how much of tax evasion is the gang considered to be responsible?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) Preliminary enquiries show that attempts have been made to evade proper sales tax by the misuse of 'C' forms intended to be used by registered dealers.

(c) The exact figures of tax evasion for which the gang is responsible cannot be worked out till the investigations are completed.

हिन्दी के प्रविधिक शब्दकोश सम्बन्धी गोष्ठियां

*१८१५. श्री प्रकाशवीर शास्त्री :
श्री अर्जुन सिंह भदौरिया :
श्री ब्रजराज सिंह :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मंत्रालय ने यह जानने के लिये कि मंत्रालय द्वारा तैयार किये गये प्रविधिक शब्दकोष उपयुक्त है या नहीं, कभी कोई गोष्ठी आयोजित की है;

(ख) यदि हां, तो इस प्रकार की कितनी गोष्ठियां की गईं और उनमें कितने व्यक्तियों ने भाग लिया; और

(ग) क्या मंत्रालय ने इस बारे में विचार किया है कि इस प्रकार की गोष्ठियां समय-समय पर होनी चाहिए ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) से (ग). पारिभाषिक शब्दावली प्रत्येक विषय की विशेषज्ञ समितियों द्वारा तैयार की जाती है और राज्य सरकारों, विश्वविद्यालयों, शैक्षिक संस्थाओं और व्यक्तियों के सुझाव प्राप्त करके उन पर विचार करने के बाद ही इसे अन्तिम रूप दिया जाता है । इसलिए इस प्रकार की गोष्ठी की आवश्यकता नहीं समझी गई ।

Colleges in Delhi

*1816. **Shri Bal Raj Madhok:** Will the Minister of **Education** be pleased to state:

(a) what is the total number of recognised colleges for boys and girls in Delhi and what is the total intake of students annually;

(b) whether it is a fact that thousands of students have to go to neighbouring towns like Sonepat, Gurgaon and Ghaziabad for getting education for want of educational facilities in Delhi; and

(c) the steps Government are taking to remedy this situation?

The Minister of Education (Dr. K. L. Shrimali): (a) 28. Sir. The total intake of students to first-year courses at the University in 1960-61 was 11,274.

(b) The number of students seeking admission elsewhere is not known.

(c) The Report of the Working Group appointed by the Government to study expansion of school and collegiate education in the Capital is under the consideration of the authorities concerned.

U.P.—Bihar Boundary

*1817. **Shri Radha Mohan Singh:** Will the Minister of **Home Affairs** be pleased to refer to the reply to Starred Question No. 1334 on the 7th April, 1960 and state the progress made in the fixation of permanent boundary between the States of U.P. and Bihar near Balia?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): The question was discussed between the Revenue Ministers of U.P. and Bihar on 23rd January, 1961. Further discussions are expected to be held shorty.

Dates of Implementation of Pay Commission Recommendations

*1818. **Shri Braj Raj Singh:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the Pay Commission recommendation regarding the 'benefit of at least one increment at the time of promotion to a higher post' has been given effect to from the 1st April, 1961, whereas the other recommendations have been implemented with effect from the 1st July, 1959;

(b) if so, the reasons therefor;

(c) whether it has been brought to the notice of Government that these orders have affected adversely all those persons promoted during the period between 1st July, 1959 and 31st March, 1961 as their juniors promoted after 1st April, 1961 would get more pay as a result thereof; and

(d) if so, the remedial measures proposed in the matter?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) The Pay Commission's recommendation regarding the 'benefit of at least one increment at the time of promotion to a higher post' has been given effect to from the 1st April, 1961. It is not correct that all the other recommendations have been implemented with effect from 1st July 1959.

(b) The reason for this decision is that normally such benefits are not allowed with retrospective effect. Moreover, since all the departments are busy fixing the revised pay of Government employees on the revised scales of pay, which in itself is a very big task, it would be unwise to complicate that pay fixation by issuing fresh orders which would result in a recalculation of pay in a large number of cases.

(c) No.

The Government are, however, aware that an officer promoted to a higher post after the 1st Apri 1961 may, by the application of the new orders, draw more pay than an officer senior to him but promoted to a similar post within one year before the 1st April 1961, if increments are annual as is generally the case. A similar anomaly will nevertheless, exist whatever be the date of effect.

(d) Government are examining the question of minimising anomalies in the application of the new order.

M.E.S. Establishments

*1819. { **Shri S. M. Banerjee:** / **Shri Chintamoni Panigrahi:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that M.E.S. establishments in Kanpur and Chakeri were closed on the 7th March, 1961 on account of sad demise of Shri Govind Ballabh Pant only for the non-industrial staff;

(b) the reason why the industrial employees were allowed to work on that day;

(c) whether the industrial employees in all other defence establishments were allowed to go out along with non-industrial staff;

(d) the officers responsible for this discrimination;

(e) whether the industrial employees were not allowed to pay homage; and

(f) the steps taken by Government in the matter?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) It was for want of timely clarification by the subordinate formation concerned that these establishments were not closed for industrial employees.

(c) Yes Sir, with the exception of a few establishments.

(d) No discrimination was intended. Non-compliance with orders was not wilful.

(e) No request was received from industrial workers for permission to attend condolence meetings.

(f) Steps are being taken to ensure that clear instructions are conveyed to the installations on such occasions in future. An enquiry is also being made as to why timely clarification was not given to the establishments concerned in this case.

Visit of a Pakistani Army Officer

*1821. **Dr. Ram Subhag Singh:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that a senior officer of the armed forces of Pakistan recently visited India;

(b) if so, the cantonments and other army stations visited by him; and

(c) the purpose of his visit?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) Ranikhet, Agra and Delhi.

(c) Being an ex-officer of the Kumaon Regiment, he was invited by the Kumaon Regimental Centre to visit Ranikhet, in connection with the presentation of colours to a Battalion of the Kumaon Regiment. The officer incidentally visited Delhi and Agra for sight seeing.

Visit of Former Commander of Armed Forces of Pakistan

*1822. **Shri Raghunath Singh:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that an ex-Commander of Armed Forces of Pakistan, Sir Frank Messervy who was Col. Commandant of Jat Regiment before the partition of ndia, came to India recently and stayed in Military barracks at Bareilly Cantonment in U.P.;

(b) whether it is a fact that he developed contacts with soldiers and examined all the new weapons used by the Indian soldiers;

(c) whether it is a also, a fact that he had the uniform of General of Pakistan and while he was to take the salute in Pakistani uniform, the Indian Eastern Command cancelled the programme on receipt of this information; and

(d) if so, the facts of the case?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir. At Bareilly he stayed at the Officers' Mess.

(b) He met Army personnel at the Jat Regimental Centre. No new weapons were shown to him.

(c) and (d). No, Sir. He wore civilian clothes throughout his stay. He did not take any salute, nor was any previously arranged ceremony cancelled.

Cost of Production of Coins

*1823. **Shri Ajit Singh Sarhadi:** Will the Minister of **Finance** be pleased to state:

(a) what decision has been arrived at about using alternative cheap metals *e.g.*, Electrolyctic Chromium, Aluminium etc. for use in the coins to bring down the cost of production of coins of lower denominations; and

(b) whether the methods and metals used in other countries have been studied:

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Investigations are in hand for developing a cheaper alloy based on indigenously available metals.

(b) Metals and methods used in other countries are studied. Also, officers of the mints are being deput-

ed abroad to study the different aspects connected with the manufacture of coins.

विदेशी साहित्यकारों की पुस्तकों का प्रकाशन

*१८२४. श्री विभूति मिश्र : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार ने विदेशी साहित्यकारों और विचारकों की पुस्तकों को प्रकाशित करने की एक योजना बनाई है;

(ख) यदि हां, तो उस योजना की रूपरेखा क्या है;

(ग) क्या अब तक भारत सरकार ने इस प्रकार की कोई पुस्तक प्रकाशित की है; और

(घ) यदि हां, तो उसका पूर्ण विवरण ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर): (क) जी, नहीं।

(ख) से (घ). सवाल पैदा नहीं होता।

Re-rolling Mills

*1825. **Shri Ram Krishan Gupta:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that nearly 200 small scale re-rolling mills through out the country employing 10,000 persons are threatened with closure unless the supply of steel billets to them improves; and

(b) if so, the action taken or proposed to be taken in this regard?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Small scale units have been allowed to be set up on condition that such units will use only local scrap. Accordingly, these units are not entitled to allotment of scrap or billets from controlled sources. Nevertheless, some of these units have been asking for supply of billets. In view of the comparatively easy supply position of billets for the time being a quantity of 15,000 tons of billets has been placed at the disposal of Development Commissioner, Small-Scale Industries on an *ad-hoc* basis for allotment to small-scale re-rollers in various States. Government are not aware of the number of such units. It will not be possible to make any regular allotment of billets to small-scale re-rollers who should depend upon locally available scrap.

Employment of Handicapped Persons

*1826. **Dr. Sushila Nayar:** Will the Minister of **Education** be pleased to state:

(a) how many handicapped persons were provided with employment through the special Employment Exchanges set up for this purpose; and

(b) what is the extent of unemployment among the trained handicapped persons suffering from different types of handicaps as blindness, deafness, deaf-mutism etc.?

The Minister of Education (Dr. K. L. Shrimali): (a) 258.

(b) According to information available, the incidence of unemployment amongst trained handicapped persons is not large.

Oil Exploration in Jaisalmer

*1827. **Shri P. C. Borooah:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Mr. W. D. Cleveland, the Production Director of ESSO Standard visited New Delhi to resume talks earlier initiated for oil exploration in Jaisalmer; and

(b) if so, what was the outcome of the talks?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes.

(b) The negotiations are continuing. It is inadvisable in the public interest to disclose the details of the discussions held with him.

सैनिक स्कूल

*१८२८. { श्री प्रकाशवीर शास्त्री :
श्री मो० ब० ठाकुर :
श्री राम सेवक यादव :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि सरकार ने देश में जो विभिन्न सैनिक स्कूल खोले हैं उनमें प्रत्येक विद्यार्थी के लिये २०० रुपये मासिक फीस नियत की है;

(ख) क्या यह सच है कि सरकारी नौकर अथवा अन्य लोग जो इतनी फीस नहीं दे सकते वे भी इस योजना से लाभ उठा सकेंगे; और

(ग) इस तरह के लोगों के बच्चों के लिये सरकार क्या प्रबन्ध कर रही है ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : (क) जी हां। सैनिक स्कूलों में स्कूल फीस १६०० रु० वार्षिक पेशगी, नियत की गई है या वर्ष में १० मास के लिये २०० रु० मासिक। इस फीस में प्रशिक्षण, खोराक, रहाइश, पाठ्य पुस्तकें, स्टेशनरी, खेल कूद का सामान आदि सभी शामिल हैं।

(ख) जी हां।

(ग) सम्बन्धित राज्य सरकारों द्वारा इन स्कूलों में गरीब परन्तु योग्य छात्रों को अपनी शिक्षा जारी रखने को सहायता देने के लिए, उदारतापूर्वक छात्रवृत्तियां, सैनिक स्कूलों की योजना का एक बड़ा अंश है। वर्तमान सुझावों के अनुसार इन स्कूलों में चालीस प्रतिशत छात्रों को वित्तीय सहायता मिलने की आशा है, जो कि योजना के आधार पर और छात्रों के पिताओं के साधनों को सामने रखते हुए दी जायेगी। प्रत्येक सैनिक स्कूल में प्रतिरक्षा सेवाओं के सेवीवर्ग के बच्चों को, केन्द्रीय सरकार द्वारा छात्रवृत्तियां देने का एक सुझाव प्रतिरक्षा मंत्रालय द्वारा विचाराधीन है।

Dates of Implementation of Pay Commission Recommendations

*1829. **Shri Braj Raj Singh:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that certain promotions in posts other than those which had been merged into one, were made in Offices and Departments of Government after 1st July, 1959, the date from which the revised scales of pay had been introduced;

(b) whether it is also a fact that as a result of the Central Civil Services (Revised Pay) Rules, 1960, announced on the 2nd August, 1960, the promoted persons are going to suffer in their Pay and Allowances;

(c) if so, whether Government are considering to give these persons protection by relaxing the Revised Pay Rules or by giving a date of option other than 1st July, 1959; and

(d) by what time a final decision in the matter is expected?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) Yes, Sir.

(b) to (d). As the Rules take effect from the 1st July 1959, which is beneficial to Government srvants as a whole, pay on the revised scales has to be regulated according to the position obtaining on that date. Therefore, legally the question of persons who have been promoted or appointed to other posts after the 1st July 1959, suffering a loss does not strictly arise. However, in some cases where promotions have been made after the 1st July 1959, there may be an actual drop in emoluments, when the pay of the persons concerned is regulated in accordance with the Revised Pay Rules. Such cases have come to the notice of Government, and they are considering the question of granting some relief and also the form in which it may be done. A decision on this question will be taken as early as possible.

Sale of one Ton Trucks

*1830. **Shri Ajit Singh Sarhadi:** Will the Minister of **Defence** be pleased to state:

(a) whether one-ton trucks being manufactured in the Ordinance Factories are being put for sale to the public; and

(b) if so, the approximate number of trucks available for sale yearly?

The Minister of Defence (Shri Krishna Menon): (a) For the present one ton trucks are being manufactured to meet the demands of the army and the Border Road Directorate.

(b) Does not arise, at present. The orders received from other parties will be considered at the appropriate time.

Ankleshwar Oilfield

*1831. **Shri P. C. Borooah:**
Shri Khushwaqt Rai:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that the Oil and Natural Gas Commission has located another oilfield in the Ankleshwar area apart from the main strata;

(b) if so, its precise location; and

(c) whether drilling has since been undertaken at that place?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (c). The Oil and Natural Gas Commission have located a new structure near Olpad about 10 miles North-West of Surat. A location for drilling on this structure has been pin-pointed and drilling may commence within a month or so. It is, therefore, premature to say that a new oil field in Ankleshwar area apart from the main strata has been located or established.

Certification of 'Krishak' Plane

*1832. **Shri Ram Krishan Gupta:**
Shri Raghunath Singh:
Shri Jinachandran:
Shrimati Ila Palchoudhuri:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the civil aviation authorities have withheld the certification of the 'Krishak' a small aircraft designed and produced by the Hindustan Aircraft Ltd., for use in agricultural operations;

(b) if so, the reasons for withholding of certificate; and

(c) steps taken to get the plane for civilian use?

The Deputy Minister of Defence (Sardar Majithia): (a) No, Sir.

(b) Does not arise.

(c) These can be considered only after the plane is certified.

Output of Steel

4133. **Shri D. C. Sharma:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the total output of steel during 1960-61; and

(b) to what extent the *per capita* consumption of steel has increased during 1960-61 as compared with 1959-60?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a). About 2.42 million tons of finished steel.

(b). The *per capita* consumption of steel during 1960-61 was 8.2 kg as compared to 7 kg during 1959-60.

Loan to Punjab University for Construction of Hostels

4134. Shri Ram Krishan Gupta: Will the Minister of **Education** be pleased to state the total amount of loan or grant paid to the Punjab University for the construction of hostels during 1960-61?

The Minister of Education (Dr. K. L. Shrimali): Rs. 6·0 lakhs.

Welfare of Scheduled Castes and Scheduled Tribes in Punjab

4135. { Shri Ram Krishan Gupta: / Shri D. C. Sharma:

Will the Minister of **Home Affairs** be pleased to state the amount granted by the Central Government in 1960-61 for the welfare of Scheduled Castes and Scheduled Tribes in Punjab?

The Deputy Minister of Home Affairs (Shrimati Alva): The required information is given below:—

	State Sector	Central Sector	Total
		(Rs. in lakhs)	
Scheduled Castes	8·46	14·06	22·52
Scheduled Tribes	2·84	21·87	24·71
TOTAL	11·30	35·93	47·23

Gingee Fort in South Arcot

4136. Shri Dharmalingam: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that entrance fee is collected at Gingee Fort in South Arcot District, Madras State;

(b) if so, the amount collected during 1960-61;

(c) whether it is a fact that certain fees are collected for shooting films inside the fort;

(d) if so, the amount collected on that account during 1960-61; and

(e) the amount of expenditure for the maintenance of the fort during 1960-61?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) Rs. 10,769:83 nP.

(c) No, Sir.

(d) Does not arise.

(e) Rs. 9,800

Development of Lahaul and Spiti

4137. Shri Hem Raj: Will the Minister of **Home Affairs** be pleased to state:

(a) the amount of financial assistance given in the year 1960-61 for the development of the Border District of Lahaul and Spiti in the Punjab;

(b) the amount proposed to be given during the year 1961-62; and

(c) what is the percentage of expenditure that is borne by the Central Government and what percentage is borne by the State Government?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Schemes for the development and better administration of Lahaul and Spiti involving a total expenditure of Rs. 34·8 lakhs have been approved during 1960-61. This also includes the amount sanctioned from the allotment made for the Welfare of Backward Classes on account of which a sum of Rs. 2·64 lakhs has been paid. The share of the Government of India in respect of other items will be paid after the accounts have been made up.

(b) This will depend upon the schemes approved and implemented during 1961-62.

(c) 50 per cent during 1960-61. No decision has yet been taken regarding the percentage for 1961-62.

Misappropriation of the Fund for Tribal Rural Welfare Scheme in Orissa

4138. Shri Kumbhar: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that more than five thousand rupees towards the

Tribal Rural Welfare Fund for Scheduled Castes and Tribes of Patnagarh Sub-Division in Bolangir District, Orissa, was misappropriated by some officials concerned from the Sub-Treasury, Patnagarah, Bolangir, Orissa in 1957;

(b) whether this amount has been recovered from the persons concerned;

(c) the nature of punishment awarded to the employees concerned; and

(d) if the reply to parts (b) and (c) above be in the negative, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (d). On 8th May 1957, a sum of Rs. 5,050 was found short in the cash chest of the office of Sub-Divional Officer, Patnagarh, under suspicious circumstances. Misappropriation was suspected. One official was prosecuted in this connection, but he was acquitted for want of evidence. Departmental inquiries against other concerned officials are in progress. No portion of the loss is reported to have been recovered.

Indian Military Personnel for Training Abroad

4139. Shri D. C. Sharma: Will the Minister of **Defence** be pleased to state:

(a) the number of Indian military personnel sent abroad for training during 1960-61; and

(b) the names of the countries where they were sent?

The Minister of Defence (Shri Krishna Menon): (a) 309.

(b) U.K., France, Yugoslavia, West Germany, USSR, USA and Australia.

Small Savings Scheme in Punjab

4140. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state the total amount collected under the Small Savings Scheme during 1960-61 in Gurdaspur District in particular and in Punjab in general?

The Minister of Finance (Shri Morarji Desai): The information required is gtven below:—

Approximate net collections during 1960-61

(Rs. in thousands)

Gurdaspur District	25,63
Punjab State	4,74,37

Burmese Students in India

4141. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state the number of Burmese students studying in India at present?

The Minister of Education (Dr. K. L. Shrimali): The number of Burmese students studying tn various universities and colleges in India was 101 during 1958-59 (the latest year for which statistics are available).

Interest on Foreign Loan

4142. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state how many rupees in foreign exchange were paid on account of the interest on loan during 1960-61?

The Minister of Finance (Shri Morarji Desai): Rs. 24·65 crores.

Schools in Delhi

4143. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the total number of primary basic middle and high schools at present in Delhi; and

(b) the number of students and staff in the schools?

The Minister of Education (Dr. K. L. Shrimali):

(a) Primary	472
Junior Basic	27
Senior Basic	79
Middle	127
Higher Secondary	265
	1215

(b) Total number of students in these schools. 4,26,408

Total number of staff employed. .. 16,196

Children's Book Trust

4144. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) whether the Children's Book Trust has submitted any report since it was established; and

(b) if so, whether a copy thereof will be laid on the Table?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The latest report for the period ending 31-3-1961 is as follows:—

Manuscripts for about 8 books are ready and have been illustrated. The Trust's proposal and plan to construct a five storey building on the plot of land allotted to it on the Mathura Road have been accepted by the Municipal Corporation of Delhi. Approval for the same has been obtained from the Land and Development Officer also.

The construction work has started and it is hoped that the building will be completed towards the end of 1962.

Part of the press unit has been obtained and will be installed in the premises on the Mathura Road in due course.

Fresh additions are being made from time to ttme to the international library which the Trust maintains. The library is being made use of by the Trust's illustrators and text writers of children's books.

Reorganisation of Himachal Pradesh Administration

4145. Shri Daljit Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) the names of departments reorganised in Himachal Administration; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Information is given in the statement laid on the Table. [*See* Appendix VI, annexure No. 35].

Free and Compulsory Education in Punjab

4146. Shri Daljit Singh: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Punjab Government have carried out compulsory primary education and free education upto Matric standard; and

(b) if so, what amount has been approved for Punjab Government in this regard?

The Minister of Education (Dr. K. L. Shrimali): (a) The Punjab Primary Education Act, 1960 provides that Education at the Primary stage is to be compulsory and free. Precise information is not available yet regarding free education upto Matric standard.

(b) In the Third Five Year Plan of the Government of Punjab a sum of Rs. 720·96 lakhs has been proposed to be provided for schemes in the elementary education sector.

Hostels for Girl Students in Punjab

4147. Shri Daljit Singh: Will the Minister of **Education** be pleased to state:

(a) whethe the Punjab Government have applied for financial assistance for construction of hostels for middle and secondary schools for girls in the State during 1960-61 and 1961-62; and

(b) if so, the amount approved and given so far?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir, for 1960-61 as they were asked to submit applications only for that year.

(b) The Central contribution approved and sanctioned amounts to Rs. 1,54,694.

Northern Zonal Council

4148. Shri Daljit Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the time and venue of the next meeting of the Northern Zonal council has been decided by now; and

(b) if so, the agenda fixed for the meeting?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The Council is likely to meet in Chandigarh in the near future. The State Governments are being consulted regarding the date of the meeting.

(b) Suggestions for inclusion of certain items in the agenda have been received. The agenda is being finalised.

Roads in Punjab

4149. Shri Daljit Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) the amount allocated from the State and Central sectors separately on tribal welfare scheme for constructions of roads in Punjab State during the Second Five Year Plan period; and

(b) the number and names of roads completed or under construction?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) State Sector—Nil.

Central Sector—Rs. 77·54 lakhs.

(including some bridges and buildings).

(b) The following roads have been completed or are under construction:—

(1) truckable road from Manali to Rehla;

(2) Rohtang Pass Koksar Road;

(3) Koksar Zing-Zing Bar Road;

(4) Gramphoo Kunzam Pass Road;

(5) Kunzam Pass Dhankar Road;

(6) Inter-village paths.

Fall in Central Tax Collection in Himachal Pradesh

4150. Shri Daljit Singh: Will the Minister of **Finance** be pleased to state:

(a) whether there was any fall in the collection of Central Taxes in Himachal Pradesh during 1959-60; and

(b) if so, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The required information is being collected and will be laid on the Table of the Sabha as soon as possible.

U.S.A. Loans for Private Firms

4151. Shri Daljit Singh: Will the Minister of **Finance** be pleased to state:

(a) whether any Indian firms have received any U.S.A. loan for the establishment of Industries in India in the Private Sector during the Second Five Year Plan period; and

(b) if so, the names of such firms and the amount of loan?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 36].

S.C. and S.T. in Kerala

4152. Shri Kunhan:
Shri Kodiyan:
Shri Warior:

Will the Minister of **Home Affairs** be pleased to state:

(a) the amount allotted to the Kerala Government in 1959-60 and 1960-61 for housing schemes for Scheduled Castes and Scheduled Tribes separately;

(b) the amount asked for by the Kerala Government during that period; and

(c) the amount so far sanctioned?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). The annual plans for 1959-60 and 1960-61 for the welfare of Backward Classes in Kerala were finalised in the Planning Commission by a Working Group consisting of representatives of the State Government, Ministry of Home Affairs and the Planning Commission. The allocation made for housing schemes for Scheduled Castes and Scheduled Tribes for these two years were as follows:

Category of backward Classes	Amount allotted	
	1959-60	1960-61
	(Rs. in lakhs)	
Scheduled Castes	6·00	5·047
Scheduled Tribes	1·63	3·16

Non-Payment of Salaries to Orissa Government Employees

4153. Shri Chintamoni Panigrahi: Shri P. G. Deb:

Will the Minister of **Finance** be pleased to state:

(a) whether Government are aware that there was some delay in payment of salaries in the Government offices in Orissa for March, 1961;

(b) if so, the reason for this unusual delay; and

(c) the remedial measures taken to avoid recurrence?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir. The salaries for the month of March, 1961, were paid in exactly the same manner as in previous years.

(b) and (c). Do not arise.

Wells for Scheduled Castes in Punjab

4154. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of wells that have been sanctioned under Centrally sponsored schemes during the year 1960-61 for providing water facilities to Scheduled Castes in Punjab; and

(b) the amount of expenditure involved therein?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Nil.

(b) Does not arise.

Murders in Delhi

4155. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of murders committed in Delhi during the months of December, 1960 to April, 1961; and

(b) the causes thereof?

The Minister of State in the Ministry of Home Affairs (Shri Da ar): (a) 15 cases of murder were reported in Delhi from 1st December, 1960 to 20th April, 1961.

(b) (i) Previous enmity—5.

(ii) matters connected with sex—3.

(iii) Disputes over property or money—3.

(iv) Not yet known—4.

Statutory Status to Jamia Millia Islamia, Gurukul Kangri, etc.

4156. Shri D. C. Sharma: Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 2374 on the 23rd December, 1960 and state the progress made in the consideration of the proposal to give statutory status to Jamia Millia Islamia, Gurukul Kangri and the School of International Studies?

The Minister of Education (Dr. K. L. Shrimali): Legislative proposals for the Jamia Millia Islamia and the Gurukula Kangri Vishwavidyalaya are expected to be introduced in Parliament during the current session. The proposal regarding the Indian School of International Studies is still under consideration.

Translation of Urdu Books by Sahitya Akademi

4157. Shri D. C. Sharma: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the names of the Urdu books, the translation of which into other modern Indian languages is pending in Sahitya Akademi for more than a year; and

(b) the reasons therefor?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) (i) Muqaddama-e-sher-o-Shairi by Hali.

(ii) Mirat-ul-Urus by Nazir Ahmed.

(b) Hindi translation of Mirat-ul-Urus has already been published. Hindi translation of Muqaddama-e-Sher-o-Shairi is under revision. Marathi translation of Muqaddama-e-Sher-o-Shairi is ready for publication. It is stated that want of suitable translators has delayed their translations into other Modern Indian languages.

Post-Matric Scholarships to S.C. and S.T. in Punjab

4158. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the number of applications received from the Scheduled Caste, Scheduled Tribe and other Backward class students in Punjab State for the award of post-Matric scholorships for the year 1960-61; and

(b) how many have been awarded scholarships in each category upto the 31st March, 1961?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A statement is given below:

STATEMENT

Castes	Number of applications received from	Number of scholarships awarded to
Scheduled Castes .	4,107	4,054
Scheduled Tribes	54	54
Other Backward Classes .	2,563	59
TOTAL . .	6,724	4,167

Suppression of Immoral Traffic in Women and Girls Act

4159. Shri Ram Krishan Gupta:
Shri Pangarkar:
Shri D. C. Sharma:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 1189 on the 2nd December, 1960 and state further progress made for making more effective the working of the Suppression of Immoral Traffic in Women and Girls Act, 1956?

The Deputy Minister of Home Affairs (Shrimati Alva): The various suggestions made are under the consideration of Government.

Abolition of Office of Treasurer in Central Universities

4160. Shri Ram Krishan Gupta: Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 1877 on the 15th December, 1960 and state at what stage is the proposal to abolish the office of Treasurer in the three Central Universities of Banaras, Aligarh and Vishwabharati?

The Minister of Education (Dr. K. L. Shrimali): The matter is still under consideration.

उत्तर प्रदेश में राजनीतिक पीड़ित

४१६१. { श्री भक्त दर्शन :
श्री सरजू पाण्डेय :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जब से उन्हें स्वविवेकीय अनुदान (डिस्क्रेशनरी ग्रांट) प्राप्त हुआ है, तब से अब तक प्रति वर्ष उत्तर प्रदेश के प्रत्येक राजनैतिक पीड़ित को कितनी कितनी वित्तीय सहायता दी गई है; और

(ख) कितने राजनीतिक पीड़ितों को यह सहायता मिली ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) और (ख) एक विवरण नीचे दिया जाता है।

विवरण

वर्ष	दी गई कुल रकम	राजनैतिक पीड़ितों की संख्या
१९५५–५६	३६,४००	१०
१९५६–५७	१०,४९०	११
१९५७–५८	१८,८४०	१५
१९५८–५९	१९,४००	३६
१९५९–६०	२३,७००	३२
१९६०–६१	१८,६५०	३६

सरकारी कर्मचारियों के लिये हिन्दी

४१६२. **श्री म० ला० द्विवेदी** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार के कितने गजेटेड पदाधिकारियों ने अब तक, "प्रवीण" "प्रबोध" और "प्राज्ञ" परीक्षायें पास की हैं;

(ख) क्या सरकार केन्द्रीय सरकार के कर्मचारियों के लिये ये परीक्षायें अनिवार्य बनाने का विचार कर रही हैं ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) सूचना एकत्रित की जा रही है और सभा पटल पर रख दी जायेगी।

(ख) ये परीक्षायें हिन्दी प्रशिक्षण योजना के अन्तर्गत ली जाती हैं। हिन्दी प्रशिक्षण तृतीय श्रेणी के नीचे तथा औद्योगिक संस्थाओं और वर्कचार्ज्ड कर्मचारियों को छोड़ कर उन सभी कर्मचारियों के लिये अनिवार्य कर दिया गया है जिन को पहले से हिन्दी का ज्ञान नहीं है और जो तारीख १-१-६१ को ४५ साल से कम उम्र के थे। परन्तु किसी कर्मचारी को इस लिये दण्ड नहीं दिया जायेगा कि वह निश्चित समय पर परीक्षा में सफल नहीं हो सका।

अन्दमान तथा निकोबर द्वीपसमूह में कहवे की खेती

४१६३. **श्री म० ला० द्विवेदी** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अन्दमान तथा निकोबार द्वीप समूह में कहवा उपजाने संबंधी संभावनाओं के परीक्षण के लिये सेर्वेक्षण किया जा रहा है; और

(ख) यदि हां, तो सेर्वेक्षण का काम कब तक पूर्ण होने की आशा है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) और (ख). सन १९५६–५७ में अन्दमान तथा निकोबार द्वीप समूह में कहवा उपजाने की सम्भावनाओं की परीक्षा के लिये एक सर्वेक्षण किया गया था।

दिल्ली में बुनियादी स्कूल

४१६४. **श्री म० ला० द्विवेदी** : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने दिल्ली में जुलाई, १९६१ में नई बुनियादी पाठशालायें खोलने का कोई कार्यक्रम बनाया है; और

(ख) यदि हां तो क्या कार्यक्रम की रूप रेखा का संक्षिप्त विवरण सभा पटल पर रखा जायेगा ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) दिल्ली संघ क्षेत्र में प्राथमिक शिक्षा की व्यवस्था दिल्ली नगर निगम, नई दिल्ली नगर पालिका और दिल्ली कैंटोन्मेंट बोर्ड द्वारा की जाती है और इन्हों ने ही कार्यक्रम तैयार किया है।

(ख) दिल्ली नगर निगम—

६० जूनियर बुनियादी स्कूल (देहाती और शहरी दोनों क्षेत्रों में)

नई दिल्ली नगर पालिका—

९ बुनियादी स्कूल

दिल्ली कैंटोन्मेंट बोर्ड—

१ बुनियादी स्कूल ।

Allotment of Steel to Gujarat

4165. **Shri M. B. Thakore:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Government of Gujarat have requested the Central Government to allot some more Steel and Iron for building purposes in the year 1960;

(b) if so, the actual requirement of the State and final allotment to it by the Central Government; and

(c) whether it is a fact that the prices of corrugated sheets and iron have gone up nearly four times recently?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). There is no separate quota of steel for construction of buildings. Quotas are allotted to State Governments under several heads classified according to their purpose, *viz.* Agricultural, Non-Agricultural, Government Development Schemes, Steel Processing Industries and Small Scale Industries. The State Governments can utilise the quotas according to their discretion. The quota system has, however, been abolished since 1960-61 for all categories of steel except sheets (thinner than 14 gauge) and wire and all demands for steel except for sheets and wire are accepted in full and planned accordingly. The following are the demands for and allotment of sheets and wire, to Gujarat, in the Second half year of 1960-61:—

(1) Demand—36,926 tons.

(2) Allotment—19,069. As the State came into being only in the middle of the First half year of 1960-61, figures for second half year only are available.

Labour Colony in the India Security Press

4166. **Shri Ajit Singh Sarhadi:** Will the Minister of Finance be pleased to state:

(a) how far the scheme to have Labour Colony in the India Security Press with a view to build 504 workers' quarters has been implemented; and

(b) whether it would be complete by the end of Second Five Year Plan as targeted?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Administrative approval and expenditure sanction for the construction of 504 workers' quarters at Nasik Road were issued some time ago. Tenders were called for immediately thereafter and the work of construction has recently been awarded. It will take some more time to complete the Labour Colony.

Fall in Bank Deposits

4167. Shri Raghunath Singh: Will the Minister of **Finance** be pleased to state:

(a) whether the Bank deposits are falling considerably; and

(b) if so, the reason of such fall?

The Minister of Finance (Shri Morarji Desai): (a) and (b). There has been an overall increase in bank deposits during the year 1960-61, though the pace of growth slackened during the latter half of the year. The slackening was due, among other reasons, to a reduction in the level of deficit financing, increase in the balance of payments deficit, and the reported diversion, to some extent, of investible funds outside the banking sector.

All India Rural Survey

4168. Shri Damani: Will the Minister of **Finance** be pleased to state:

(a) whether new All India rural survey is proposed to be conducted by the Reserve Bank of India; and

(b) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The Reserve Bank proposes to undertake an All India Rural Debt and Investment Survey covering the year 1961-62. The survey is intended to collect data regarding the level of debt, capital formation, investment and similar items of assets and liabilities of the rural household sector.

Sale of Plots in Colonies in Delhi

4169. Shri M. B. Thakore: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that quotation of prices of land in colonies like Green Park and its extension, South Extension, Kailash, Greater Kailash I and II in New Delhi rang from Rs. 40 to Rs. 90 per sq. yard and the sale and resale of plots in those colonies is going on;

(b) whether in view of rising price, Government propose to issue orders asking the plot-holders in the above-mentioned colonies to construct houses within a period of one year from the date of issue of the orders in order to end the speculation going on in plots;

(c) if not, what other steps Government propose to take to bring down the rising prices of land in these colonies; and

(d) how many plots have been lying unconstructed in the above colonies and the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) It is difficult to indicate the exact quotation or prices of land in these colonies, where the prices vary from plot to plot depending upon its location. The data gathered from the property dealers and from some of the sale deeds, recently registered, reveal that in Green Park proper and Greater Kailash II the prices of land range from Rs. 60 to Rs. 65 and that in Green Park Extension and Greater Kailash I the prices range from Rs. 40 to Rs. 45 and Rs. 50 to Rs. 55, respectively.

(b) and (c). It has been decided that vacant plots in these colonies should be acquired if construction of houses is not completed with a period of three years from 1st July, 1960. Other measures which are proposed to be taken to bring down the prices of land in Delhi are specified in the Statement laid on the Table of the Lok Sabha on the 23rd March, 1961, in connection with the Calling Attention Notice by Shri P. G. Deb under Rule 197.

(d) The information is not readily available.

Re-Sale of Plots in Colonies in Delhi

4170. Shri M. B. Thakore: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government propose to impose ban on resale of plots in newly developed colonies along with Ring Road;

(b) whether the plot-holders will be asked to construct houses on these plots; and

(c) if not, what other steps Government propose to take to construct houses/shops on these plots immediately?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) There is no such proposal under consideration at present.

(b) The plot-holders have been advised to complete construction of houses within a period of three years from 1st July, 1960, failing which their unbuilt as well as partly built plots would be liable to be acquired by Government.

(c) Does not arise.

Scheme for Aid to S.C. for Kerala Government

4171. Shri V. Eacharan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any scheme has been submitted by the Kerala State Government to give aid and loan for cultivation of lands for the Scheduled Castes under the Third Five Year Plan period; and

(b) if so, the details thereof, and how much amount has been allotted for the year 1961-62?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) A scheme to give aid and loan for cultivation of lands for Scheduled Castes under the Third Five Year Plan was included in original proposals, but has not been included in the Third Five Year Plan.

(b) Does not arise in view of (a) above.

Seizure of Smuggled Watches

4172. Shri A. M. Tariq: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that during the last five years, watches worth 70 lakhs of rupees were seized by the Customs authorities while these watches were being smuggled;

(b) whether it is a fact that out of the above watches worth rupees 36 lakhs were seized only in one year;

(c) whether it is a fact that according to customs authorities only 10 per cent. of the smuggled goods are seized;

(d) whether it is also a fact that due to this there is huge loss of revenue; and

(e) if so, what concrete steps Government propose to take to check this heavy loss of revenue?

The Minister of Finance (Shri Morarji Desai): (a) and (b). It is a fact that during the years 1956 to 1960, watches of a total value of approximately Rs. 70 lakhs were seized as smuggled by the Customs, Land Customs and Central Excise authorities, and that out of these, watches valued at approximately Rs. 33 lakhs were seized during 1960.

(c) and (d). Undetected smuggling necessarily involves loss of revenue. Although it is not possible to make any exact estimate, Government have no reason to believe that only 10 per cent. of the smuggled goods are seized.

(e) Government have adopted various legislative and executive measures to combat smuggling. These include (i) the enhancement of the powers of investigation of Customs officers engaged in anti-smuggling work; (ii) systematic rummaging of suspected vessels and aircraft (iii) regular as well as surprise patrolling of vulnerable sections of coastline and land borders and (iv) closer follow-up of information, (v) in addition to heavy penalities imposed under the Sea Customs Act, which include the confiscation of the contraband, prosecutions are also launched in deserv-

ing cases so as to render the punishment really deterrent. (vi) A Directorate of Revenue Intelligence has also been functioning at the Centre to consolidate more effective the anti-smuggling activities of the various field organisations.

New Delhi Bye-Election to Lok Sabha

4173. Shri Kalika Singh: Will the Minister of **Law** be pleased to state:

(a) whether the candidate of the Swatantra Party in the New Delhi bye-election to the Lok Sabha was allotted one of the symbols prescribed bye-Election Commission for Swatantra or independent candidates;

(b) if so, how the electorate could distinguish between the candidate of Swatantra Party and the real Swatantra or non-party candidates; and

(c) whether the Election Commission has asked the Swatantra Party to modifiy the name of the party suitably for purposes of election to eliminate the possibility of misrepresentation?

The Deputy Minister of Law (Shri Hajarnavis): (a) The candidate belonging to the Swatantra Party in the recent bye-election from the New Delhi Parliamentary Constituency was allotted the symbol "SCALE" which is one of the 'free5 symbols. These 'free' symbols are not exclusively reserved for independent candidates but are available to all candidates other than those officially sponsored by a political party recognised by the Election Commission for the purpose of reservation of a symbol.

(b) Since only the name of the candidate and his symbol are printed on the ballot paper, there could be no occasion for any confusion between independent candidates and candidates belonging to the Swatantra Party.

(c) No, Sir. The Election Commission does not consider that there is any possibility of fraud or misrepresentation.

Books with Metric Measures and Weights

4174. Shri Kalika Singh: Will the Minister of **Education** be pleased to state:

(a) whether new text-books have been introduced on the subjects of Arithmetic, Algebra, Geometry, Geography and other books prescribed in Arts and Science classes from primary stage to the College and University stage using new metric measures and weights in the Union Territories;

(b) if so, to what extent;

(c) whether the old prescribed books are being modified and republished or entirely new set of books are being introduced; and

(d) what is being done in State areas in this regard?

The Minister of Education (Dr. K. L. Shrimali): (a), (b) and (c). In Delhi, the new text-books were prescribed last year for classes II, III and VI. These have been written keeping the new metric system of weights and measures in view. New text-boks for classes I, IV, V, VII and VIII are expected to be prescribed with effect from the next academic session. These books will also be based on the metric system. For the Higher Secondary classes no text-books in Science and Mathematics are prescribed; and the Board of Higher Secondary Education, Delhi only lays down the syllabus, leaving the choice of suitable text-books to the heads of schools. The Board has, however, issued instructions for making the maximum possible use of the metric system in illustrations and exercises in all subjects.

In other Union Territories the books prescribed and recommended by the Boards of the adjoining States are used. Generally speaking, new chapters on metric weights and measures have been added to the existing textbooks though exercises in the old measures and weights have not been altogether discontinued.

The books used in the colleges are prescribed/recommended by the universities which are autonomous bodies.

(d) Information is being collected and will be placed on the Table of the House.

विवाह विच्छेद के मामले

४१७५. **श्री प्रकाशवीर शास्त्री :** क्या विधि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत चार वर्षों में उत्तर प्रदेश, पंजाब और दिल्ली की अदालतों में पारस्परिक सहमति से विवाह-विच्छेद करने के बहुत से अभियोग इकट्ठे हो गये हैं;

(ख) उन के जमा होने के क्या कारण हैं; और

(ग) पुराने जमा हुये अभियोग कब तक निबट जाने की सम्भावना है ?

विधि उपमंत्री (श्री हजरतवीस) : (क) से (ग) विवाह विच्छेद सम्बन्धी विधि को क्रियान्वित करने की मूल जिम्मेवारी भारत सरकार की नहीं है। इसलिये इस बारे में जानकारी उपलब्ध नहीं है। यह जानकारी पंजाब और उत्तर प्रदेश सरकारों से और दिल्ली प्रशासन से एकत्र कर के यथा समय सदन के पटल पर रख दी जायेगी।

Beggars in Delhi

4176. **Shri Ram Krishan Gupta:**
Giani G. S. Musafir:
Shri Madhusudan Rao:

Will the Minister of **Home Affairs** be pleased to state:

(a) the number of beggars mopped up so far in Delhi since the introduction of Bombay Prevention of Beggary Act;

(b) whether the work of mopping up of beggars is going on satisfactorily;

(c) if so, the nature of difficulties met; and

(d) the steps taken to solve them?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) 438 upto 15th April, 1961.

(b) Yes.

(c) No particular difficulties have been experienced.

(d) Does not arise.

Seizure of Smuggled Gold

4177. **Shri Ram Krishan Gupta:**
Shri Rameshwar Tantia:

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the customs authorities of Dum Dum airport seized huge quantity of gold on the 17th March, 1961 from an air passenger;

(b) if so, the quantity and value of the gold seized; and

(c) the action taken against the person concerned?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The customs authorities at Calcutta seized about 31·27 Kg. of gold valued at Rs. 3,73,000 approximately on the 17th March, 1961, from an air passenger who had arrived at Dum Dum airport from Hong Kong.

(c) The gold has been confiscated and a personal penalty of Rs. 1,000 imposed on the passenger under section 167(8) of the Sea Customs Act read with section 23A of the Foreign Exchange Regulation Act, 1947. The passenger is also being prosecuted in a court of law.

Formula for Fixation of Wages

4178. **Shri Kumbhar:** Will the Minister of **Finance** be pleased to state:

(a) whether any formula has been evolved in Government Departments

to fix the rates of daily wages and monthly salary of the industrial and non-industrial employees, male and female grade-wise according to their daily duties;

(b) if so, the nature of the formula; and

(c) the action being taken on it?

The Minister of Finance (Shri Morarji Desai): (a) No. Daily wages and monthly salaries of industrial and non-industrial employees of Government Departments are ordinarily fixed on the the basis of duties and responsibilities of the posts held and the qualifications and experience required for the same.

(b) and (c). Does not arise.

Foreign Collaboration for Development of Coal Mines

4179. **Shri P. C. Borooah:**
Shri Indrajit Gupta:
Shri Narayanankutty Menon:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 729 on the 10th March, 1961 and state:

(a) how many offers have been received, for loans to India for the development of deep coal mines from foreign countries;

(b) the names of the countries and the amount of loan offered;

(c) what is Government's decision thereon, if any has since been taken; and

(d) whether a scheme for deep coal mining has since been drawn up and if so, what are its details?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (d). There have been no offers of loans, as such, from any foreign country for the development of deep mines in India. However, technical assistance has been offered by the United Kingdom and the Polish Governments for development of deep mines by the National Coal Development Corporation. Negotiations are presently in progress with a view to evolving suitable arrangements, both technical and financial, for the development of certain deep mines by the National Coal Development Corporation in collaboration with these countries. No scheme has so far been finalised.

दिल्ली में वस्तुओं का तस्कर व्यापार

४१८०. **श्री खुशवक्त राय :**
श्रीमती इला पालचौधरी :

क्या **वित्त** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में निःशुल्क वस्तुओं का तस्कर व्यापार दिन प्रति दिन बढ़ता जा रहा है;

(ख) इस का ब्यौरा क्या है; और

(ग) इसे को रोकने के लिये क्या उपाय किये जा रहे हैं ।

वित्त मंत्री (श्री मोरारजी देसाई) : (क) सरकार के पासे यह समझने का कोई कारण नहीं है कि दिल्ली में शुल्कमुक्त वस्तुओं का तस्कर व्यापार बढ़ रहा है ।

(ख) और (ग) यह सवाल पैदा ही नहीं होते ।

Loans for Construction of School Hostels in Madras

4181. **Shri Elayaperumal:** Will the Minister of **Education** be pleased to state:

(a) whether the Government of India have sanctioned any loan to the Madras State Government for the construction of school hostels during 1960-61; and

(b) if so, the total amount sanctioned for each institution?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) (i) Palaniammal Basic Training School, Coimbatore.—Rs. 72,000.

(ii) A sum of Rs. 2,50,000 has been sanctioned to the Madras State Government for advancing loans to the Secondary Schools and Training Colleges during 1960-61. The progress of expenditure and details of institutions, if any to which loans have been advanced have not yet been intimated by the State Government.

Assistance for Hostel Buildings for Backward Class and S.C. Students in Madras

4182. Shri Elayaperumal: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any amount has been sanctioned for the construction of hostel buildings for the Backward Class or Scheduled Caste students in Madras State during 1959-60 and 1960-61; and

(b) if so, the extent thereof?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The information is being collected from the State Government and will be laid on the Table of the House as soon as it is received.

Re-Insurance with British Companies

4183. Shri L. Achaw Singh: Will the Minister of **Finance** be pleased to state:

(a) the amount of drain on foreign exchange through reinsurance of Indian or Foreign insurance companies with the British Reinsurance Companies in India; and

(b) the amount of profits on reinsurances placed abroad which are not taxed in India?

The Minister of Finance (Shri Morarji Desai): (a) There is no drain of foreign exchange directly involved in placing reinsurances in India with British reinsurance companies.

(b) The amount of profits on reinsurances placed abroad is not known.

Prohibition in Manipur

4184. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether all the liquor shops in Manipur are being closed down in pursuance of the prohibition policy of Government;

(b) whether the country liquor shops are also affected by this policy;

(c) whether the tribals in the valley have made representations against the measure;

(d) whether any action was taken on the representation; and

(e) the effect of the policy on the people?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (e). The information is being collected and will be laid on the Table.

Madrassas in Tripura

4185. Shri Dasaratha Deb: Will the Minister of **Education** be pleased to state:

(a) whether the privately run Madrassas of Tripura get any financial aid from the Government;

(b) whether the Madrassas of Purba Rajnagar (Dharmanagar), Salgarh (Udaipur), Mirza (Udaipur), Nalchhar (Sonomura), Chandranagar (Sadar) get any financial aid;

(c) whether representations have been made for such financial aid; and

(d) if so, the steps taken in the matter?

The Minister of Education (Dr. K. L. Shrimali): (a) Financial aid has been given to eleven Madrassas on an *ad hoc* basis.

(b) No, Sir.

(c) Only from one Madrassa in Belonia Sub-Division.

(d) The matter is under consideration of the Administration.

Land Disputes in Tripura

4186. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the total number of land disputes that took place in the various Divisions of Tripura during 1959-60 and 1960-61;

(b) the causes of these land disputes; and

(c) the steps taken to eliminate such disputes?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information is being collected and will be laid on the Table.

Tribal Zumias in Tripura

4187. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of tribal zumias who were rehabilitated in P.S. Fatik Roy, Tripura;

(b) the number of such zumias who deserted the plots on which they were rehabilitated;

(c) the causes of desertion, if any; and

(d) the steps taken to bring them back to these plots and land?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) 1565.

(b) 85.

(c) The reason for desertion is presumably the ingrained habit of some tribals, used to Jhumia cultivation, to change the location of their cultivation as well as their habitation.

(d) Efforts are being made to bring back the deserters through persuasion with the help of Sardars as well as through Government officials wherever contacts are possible.

Ex-Servicemen in Tripura

4188. Shri Dasaratha Deb: Will the Minister of **Defence** be pleased to state:

(a) the number of ex-servicemen (mainly ex-military) in Tripura;

(b) the number of such ex-servicemen rehabilitated by Government on land or otherwise;

(c) the number of ex-servicemen who made petitions for rehabilitation, but did not get any; and

(d) the steps taken to rehabilitate them?

The Minister of Defence (Shri Krishna Menon): (a) 5680.

(b) 835.

(c) and (d). The information is being collected and will be laid on the Table of the House.

Bengali as the Official Language in Tripura

4189. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Bengali was the official language in Tripura during Maharaja's time;

(b) whether the Tripura Territorial Council made a request to declare Bengali as official language of Tripura; and

(c) if so, what step has been taken so far?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The Territorial Council had requested that Bengali should be adopted as the official language of Tripura, and that business in the Council and in its Committees may be transacted in Bengali. Bengali was adopted as the official language of Tripura by legislation during the Maharaja's time. It continues to be used in local offices and can be used for transacting the business of the Territorial Council or its Committees under the existing rules. The Council has been informed of the position.

Collection of Central Taxes in Tripura

4190. Shri Dasaratha Deb: Will the Minister of **Finance** be pleased to state:

(a) the total amount of Central taxes collected from Tripura during 1959-60 and 1960-61;

(b) whether collection of such taxes is increasing or decreasing; and

(c) if decreasing, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) The required information is given below:—

1959-60—Rs. 10,59,000.

1960-61.—Rs. 10,05,000 (Provisional figures).

(b) and (c). The main reasons for the slight decrease in the revenue collection in 1960-61 as compared to the year 1959-60, are (i) liquidation of Income-tax arrears in earlier years, (ii) more Wealth Tax assessments were completed towards the end of the year but part of the demand arising out of such assessments did not fall due for collection during 1960-61, and (iii) less clearances of Matches, Vegetable non-essential oils, Tobacco and Tea.

Cases in Tripura Courts

4191. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the total number of cases instituted in the courts by the employees and the public against Tripura Administration during 1958-59, 1959-60 and 1960-61;

(b) the number of cases in which the decision of the court went against Government; and

(c) the total amount of costs involved in defending these cases?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information is being collected and will be laid on the Table.

Working of Co-operative Societies in Old Rehabilitation Centres, Tripura

4192. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Tripura Administration has started any official investigation into the working of the co-operative societies started in the 41 old Rehabilitation Centres, Tripura; and

(b) if so, the reasons for starting such an investigation?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) The industrial schemes were undertaken by the co-operative societies with the help of loan from Government to provide gainful employment to the partially rehabilitated displaced families. Official investigation into the working of the co-operative societies has been undertaken with a view to seeing how far the purpose behind the schemes has been fulfilled. The intention is to revitalise the workable schemes, to weed out the unworkable ones and to formulate new schemes having possibilities of creating gainful occupations for the inmates of the colonies.

विधान सभा के प्रशासी कर्मचारी

४१९३. **श्री पंथ देव :** क्या गृह-कार्य मंत्री यह बतानें की कृपा करेंगे कि :

(क) १ नवम्बर, १९५६ से पहिले हिमाचल प्रदेश के विधान सभा सचिवालय तथा मंत्रियों के कार्यालयों में काम करने वाले कर्मचारियों की वरिष्ठता के बारे में क्या नियम थे ;

(ख) क्या यह सच है कि इन अधिकारियों को अपनी उचित वरिष्ठता से पर्याप्त समय से वंचित रखा गया है ; और

(ग) यदि हां, तो इन कर्मचारियों की ठीक-ठीक वरिष्ठता निश्चित करने के लिए क्या कार्यवाही की गई है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क), (ख) और (ग). हिमाचल प्रदेश के विधान सभा सचिवालय तथा मन्त्रियों के कार्यालयों में काम करने वाले कर्मचारियों की वरिष्ठता उन ग्रेडों में निश्चित की गई थी, जिन पर वे हिमाचल प्रदेश सचिवालय अधीनस्थ सेवाएं (भर्ती तथा उन्नति) नियम, १९५१ के अधीन नियुक्त किए गए थे। क्योंकि इन नियमों की मान्यता के विषय में कुछ भ्रम था, इसलिए उन कर्मचारियों को अपने पहले कार्यालयों के ग्रेडों की स्थायी सेवा को ध्यान में रखते हुए अन्तिम वरिष्ठता दे दी गई थी। बाद में ऐसा समझा गया, कि सचिवालय अधीनस्थ सवा नियम अभी भी मान्य हैं इसलिये नियमों के अनुसार उन्हें उपयुक्त वरिष्ठता प्रदान करने की कार्यवाही की जा रही है।

Boat Seized in Andaman Islands

4194. Shri Raghunath Singh: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 1324 on the 5th April, 1961 and state:

(a) whether information regarding the origin of boats captured near Andaman Islands in December, 1960 and make of the engine and equipment on the boats has been ascertained; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) The details of the two captured boats are given below:—

Boat No. S.M.F. 195

(*a*) Origin of the boat		Singapore
(*b*) Make (engine)	.	M/s Kobe Hatsu Doki Ltd., Tokyo, Japan.
(*c*) Horse power	.	100
(*d*) Cylinder	.	2
(*e*) Equipments	.	List of properties recovered on board is laid on the Table of the House. [*See* Appendix VI, annexure No. 37]

Boat No. S.M.F. 392

(*a*) Origin of the boat		Singapore
(*b*) Make (engine)	.	M/s Kobe Hatsu Doki Ltd., Tokyo, Japan.
(*c*) Horse Power	.	115
(*d*) Cylinder	.	3
(*e*) Equipment.	.	List of properties recovered on board is laid on the Table of the House. [*See* Appendix VI, annexure No. 38.]

Colonies for S.C. and S.T. in Orissa

4195. Shri B. C. Mullick: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the State Government of Orissa sanctioned about Rs. 80,000 during the year 1956-57 for the construction of colonies for Scheduled Castes and Scheduled Tribes at Baragadia, Jubri and Gobar Ghati in Sukinda P. S. of Cuttack District;

(b) if so, who were entrusted to take up the construction work,

(c) whether it is also a fact that after the construction of the colonies, they were destroyed by the officials concerned;

(d) if so, the reasons therefor;

(e) whether the Scheduled Castes and Scheduled Tribes for whom the colonies were constructed have made representations to Government; and

(f) if so, the action taken thereon?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (f). Information is being collected from the Government of Orissa and will be laid on the Table of the House as soon as it is received.

Assistance to Flood-stricken in Orissa

4196. Shri B. C. Mullick: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any financial assistance has been rendered by the State Gov-

ernment to the family members of those who have lost their lives by the devastating floods in August, 1960 in Orissa; and

(b) if so, what amounts have been granted to each individual family of the deceased persons?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No

(b) Does not arise.

केन्द्रीय शिक्षण संस्थान के सांख्यक का विदेशों में प्रशिक्षण

४१९७. **श्री जगदीश अवस्थी :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय शिक्षण संस्थान का एक सांख्यिक सरकारी छात्रवृत्ति पर उच्च शिक्षा प्राप्त करने के लिये विदेश भेजा गया था ;

(ख) यदि हां, तो उस पर कितना धन व्यय हुआ ;

(ग) क्या तीन साल के सेवा अनुबन्ध काल में विदेश जाने के लिये उनकी छुट्टी स्वीकृत कर ली गई थी ;

(घ) यदि हां, तो इसके क्या कारण थे; और

(ङ) छात्रवृत्ति के रूप में व्यय होने वाले धन को उनसे वापस लेने के लिये क्या कदम उठाये गये हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली): (क) जी, हां ।

(ख) २०,१३९ रु० और ३९ नये पैसे । लेकिन उन्हें वेतन आदि के रूप में कोई और रकम नहीं दी गई ।

(ग) जी, हां ।

(घ) उनकी छुट्टी बाकी थी और संविदा की अवधि के दौरान में छुट्टी मंजूर करना संविदा की शर्तों के विरुद्ध नहीं था ।

(ङ) संविदा के अनुसार उम्मीदवार को जब तक काम करना था तब तक वह काम करता रहा । इसलिए छात्र-वृत्ति के रूप में उन पर खर्च की गई राशि के किसी भाग को वसूल करने का प्रश्न ही नहीं उठता ।

Coal finds in Bhir District (Maharashtra)

4198. Shri Raghunath Singh: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that coal has been found while digging wells at Bhabhalgaon and Khaparton villages near Dharampuri in Moninabad Taluka of Bhir District of Maharashtra; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) The Government of India is not aware of any such find.

(b) Does not arise.

Conference of Sports Goods Manufacturers

4199. Shrimati Ila Palchoudhuri: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Ministry of Education has called a conference of leading sports goods manufacturers of India;

(b) if so, the purpose of conference; and

(c) when it is likely to be held?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) To impress upon the sports goods manufacturers the need for producing standard quality goods and equipment, and to understand their difficulties, if any.

(c) The Conference was held on 17th April, 1961.

Engineering College at Anantapur

4200. Shri Rami Reddy: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether there is a proposal to introduce post-graduate course in the Engineering College at Anantapur in Andhra Pradesh;

(b) if so, what is the estimated expenditure of the scheme; and

(c) the number of students that would be admitted for this course?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) to (c). The Anantapur Engineering College has submitted a scheme for Post-graduate Course in Civil, Mechanical and Electrical Engineering at an estimated cost of Rs. 6.5 lakhs for buildings and equipment and Rs. 1.8 lakhs recurring per year. The scheme envisages 30 candidates per year being admitted to the courses.

The scheme is under the consideration of the Post-graduate Development Committee.

Indian Army Men in Congo

4201. { Shri Shree Narayan Das: / Shri Radha Raman:

Will the Minister of **Defence** be pleased to state:

(a) the nature of work entrusted to our army men so far who were sent to Congo under the U.N. Command;

(b) whether our army men were involved in any clash with the local army there;

(c) if so, whether there were any casualties; and

(d) if so, the number and nature of them?

The Minister of Defence (Shri Krishna Menon): (a) Army personnel sent to Congo in August—October 1960 were for non-combat duties such as supplies, hospital work and signals.

A brigade group of combat troops was sent this year. It will carry out duties assigned to it by United Nations Operational Command in Congo in pursuance of the resolutions passed by the Security Council and the General Assembly of the United Nations.

(b) to (d). Four Indian Army Officers and three Other Ranks were involved in incidents in Congo with Congolese troops. In one of these incidents which took place on 22nd November 1960, two officers (Majors M. V. Gore and M. S. Kathavate) were roughly handled by the Congolese troops. Majore Gore received injuries on his back and Major Kathavate was hit on his face and left ear. Both the officers have since been discharged from the hospital and have been attending to their normal work in Congo. There were no casualties in any of the other incidents.

Srinagar and Chandigarh Airports

4202. Shri Assar: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Srinagar and Chandigarh airports have been withdrawn from the control of the Directorate of Civil Aviation;

(b) if so, when this decision was taken; and

(c) the reasons therefor?

The Minister of Defence (Shri Krishna Menon): (a) to (c). The control of the airfield at Srinagar has all along been with the Air Force and therefore the question of taking over its control from Civil Aviation Department does not arise.

By agreement with the Ministry of Transport and Communications the airfield at Chandigarh is being taken over by the Indian Air Force from the Civil Aviation Department. The decision was taken recently in the overall interests of the country.

Unauthorised Colonies in Delhi and New Delhi

4203. Shri Bal Raj Madhok: Will the Minister of **Home Affairs** be pleased to state:

(a) the names of unauthorised colonies in Delhi with the following details:

(i) the number of houses;

(ii) the number of vacant plots of land;

(iii) whether the colony came into existence before or after the Delhi Municipal Corporation Act;

(b) the particulars of unauthorised colonies regularised and approved during the last three years; and

(c) the principles on the basis of which the colonies referred to in part (b) above were approved?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) A statement showing the names of colonies and number of houses and vacant plots in them is laid on the Table of the House. [*Placed in Library. See* No. LT-2913/61.]

(iii) All the colonies came into existence before the promulgation of the Delhi Municipal Corporation Act, 1957.

(b) The following unauthorised colonies have been regularised and approved by the Delhi Corporation during the last three years:

1. Raja Garden
2. Meenakashi Garden
3. Sant Nagar.
4. Majlish Park.
5. Hari Nagar G Block.
6. Shiv Nagar.
7. Shiv Nagar Extension.
8. Virender Nagar.
9. Krishan Nagar.
10. Kuldeep Nagar.
11. Moti Park.
12. Harkrishan Nagar.
13. Manohar Park.
14. Friends Colony, G. T. Road.
15. Krishan Nagar, G. T. Road.
16. Adarsh Nagar.

(c) The principles on which the above colonies have been taken first are—

(i) the colonies which are heavily built up;

(ii) taking approximately equal number of colonies from each zone; and

(iii) the colonies for which there are well laid out plots and the sub-division is generally in order.

Refixation of pay of Government Employees

4204. Shri Bal Raj Madhok: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that in case of Class II Gazetted Officers whose existing scale of pay Rs. 350—800 was revised to Rs. 400—900, the financial loss resulting from refixation of pay under the Central Civil Services (Revision of Pay) Rules, 1960 has been compensated by applying the principle of 'notional minimum';

(b) whether in the case of Assistants in the Central Secretariat service, whose existing scale of pay of Rs. 160-450 has been revised to Rs. 210-530, some financial loss occurs as a result of refixation of pay in the revised scale;

(c) if so, whether like Class II Gazetted Officers referred to in part (a) above, Government contemplate to apply the principle of 'notional minimum' that is fixing the pay of the present Assistants on the basis of a minimum of Rs. 220 p.m. in the case of Assistants to obviate financial loss; and

(d) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) to (d) the revised scale of Rs. 400—900 prescribed for certain categories of Class II Gazetted Officers was not specifically recommended by the Pay Commission to replace the old scale of Rs. 350—800, which was a segment of the standard Class II scale of Rs. 275—800. Government, however, evolved the revised scale of Rs. 400—900 in conformity with the revised minimum recommended by the Commission for the Class I scale, which was also previously Rs. 350. It was subsequently noticed that while the revised Class I scale with a minimum of Rs. 400 did not, on the whole, involve drop in emoluments, the revised scale of Rs. 400—900 for Class II Officers involved a loss at all points of the revised time scale. This is due to the different patterns of increments in the Class II and Class I scales respectively. Government considered that there was justification for invoking the special provisions of the Revised Pay Rules, and decided that in the case of persons who were in service on 1st July, 1959, the pay on the revised scale of Rs. 400—900 will be fixed on the principle of 'national minimum', *i.e.*, at the stage where the emoluments in the revised scale are equal to the emoluments at the minimum of the relevant existing scale, or if there is no such stage, at the stage next above.

The revised scale of Rs. 210—530 has been specifically recommended by the Pay Commission for Assistants in the Central Secretariat Service, in replacement of the old scale of Rs. 160—450. It involves a drop in emoluments at only two intermediate stages, but, on the whole, it is beneficial. To avoid the drop in emoluments at these stages the individuals concerned have the option to retain the old scale until such time as they found it suitable and then come over to the revised scale. As in the case of Class II Officers referred to above, there is no loss at the minimum stage, as the total emoluments under the old pattern were Rs. 225 (basic pay Rs. 160 plus dearness allowance Rs. 65) and under the revised pattern they are Rs. 230 (basic pay Rs. 210 plus dearness allowance Rs. 20). Actually, at this stage there is a gain of Rs. 5.

Government are satisfied that the case of Class II Officers for whom the revised scale of Rs. 400—900 has been prescribed is clearly distinguishable from that of Assistants. They have, therefore, come to the decision that there is no justification for fixing the pay of Assistants at a higher minimum on a notional basis.

Licences to S.C. in Delhi for Coal, Iron and Steel

4205. **Shri B. K. Gaikwad:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that in 1959 and 1960 several Scheduled Caste people applied for licences to run coal depots or sell iron and steel in Delhi;

(b) whether any member belonging to the Scheduled Castes was issued licence for iron, steel and coal during the above period; and

(c) if not, the reasons therefor?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b) Appointment of Controlled/Registered Stockholders of Iron and Steel as well as Controlled Scrap Merchants, or quota holders for running coal depots are not made on any communal, religious or caste basis. It is, therefore, difficult to say whether there have been any applicants from the Scheduled Caste. ;

(c) Does not arise.

Linguistic Minorities

4206. **Shri P. C. Borooah:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether a meeting of the Chief Ministers of West Bengal, Assam and Bihar and the Governor of Orissa was held to discuss an inter-State agreement on the treatment of linguistic minorities in the four States represented by them;

(b) if so, what was the sum and substance of the talks; and

(c) what was the result of the discussions?

The Minister of Home Affairs (Shri Lal Bahadur): (a) Not yet. The Committee is likely to meet shortly.

(b) and (c). Do not arise.

Thefts of Taxi Meters

4207. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that there have been a large number of thefts of taxi meters in Delhi;

(b) if so, the number of such thefts during 1960 and 1961 so far;

(c) the number of persons apprehended on this score; and

(d) the action taken against them?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). No. 8 such cases were reported in 1960 and 5 in 1961 (upto 31st March, 1961).

(c) 2 in 1960 and 7 in 1961 (upto 31st March, 1961).

(d) 4 persons were prosecuted of whom one was convicted and one acquitted; cases against 2 persons are pending in Court. One person was released after investigation. Cases against the remaining four persons are under investigation.

Dharara Mosque in Banaras

4208. Shri D. C. Sharma: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that Government have decided to pull down the minar on the north-eatern corner of the Dharara Mosque in Banaras in view of the verdict of three expert committees on the condition of the mosque;

(b) whether there is a proposal to construct two small *minars* in place of this and the one already fallen; and

(c) the amount to be spent on the same?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b) Yes, Sir.

(c) The likely cost has not yet been worked out.

M.E. School at Kala (Orissa)

4209. Shri P. G. Deb: Will the Minister of **Education** be pleased to state:

(a) whether the Government of Orissa has sanctioned to convert the M.E. School of Kala into a high school during 1961; and

(b) what steps Government propose to take in meeting the public demand of making it a fully Government-sponsored high school?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The information is being collected from the Government of Orissa and will be furnished in due course.

Trips to Hill Stations by Government Employees

4210. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the trips arranged for Central Government employes to hill stations during summer have been a success in the past; and

(b) if so, the steps taken or proposed to be taken to popularise them?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Yes. These trips are quite popular and the employees are taking full advantage of the facilities offered with the co-operation of State Governments, Railways, etc.

Stores Purchased by C.O.D. Delhi Cantt. for Indian Troops in Congo

4211. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that C.O.D. Delhi Cantonment had to purchase locally stores worth Rs. 25,000 for our troops which went to Congo recently;

(b) if so, whether no provision for these stores was kept ready; and

(c) if so, the reason for the same?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir. The actual amount spent by C.O.D. Delhi Cantt. on local purchase is Rs. 27,147·29.

(b) and (c). Provision action was taken in the normal manner. As the stores had not materialised against certain supplementary demands, it was necessary to effect local purchase for meeting emergent requirements.

Public Relations Drive in Oil Industry

4212. **Shri P. C. Borooah:**
Shri D. C. Sharma:
Shri Kumbhar:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether a public relations drive is being launched by the public sector of the Oil Industry in India; and

(b) if so, what are the outlines of the scheme?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). A proposal has recently been mooted for the establishment of a Petroleum Information Bureau in Delhi in collaboration between the Oil and Natural Gas Commission, the Indian Oil Company Ltd., and the Indian Refineries Ltd. The outlines of this scheme are being worked out by those organisations and have not been settled.

Criminals in Manipur

4213. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state the number of cases in Manipur during the past two years where criminals who could not be detected by police reported to the Magistrates and surrendered themselves?

The Minister of State in the Ministry of Home Affairs (Shri Datar): 12 persons in 5 cases in 1959 and 10 persons in 9 cases in 1960 surrendered themselves to law courts for offences registered against them. As police action to apprehend them was still proceeding, it cannot be said that the criminals could not be detected.

Decline in Foreign Assets and Increase in Reserve Bank Advances

4214. Shrimati Maimoona Sultan: Will the Minister of **Finance** be pleased to state:

(a) whether there is of late a sharp decline in foreign assets and notes and coins and a sizeable increase in other loans and advances of the Reserve Bank of India; and

(b) if so, to what extent?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Recent variations in foreign assets, notes and coins and other loans and advances of the Reserve Bank of India are given below:

(Rs. in crores)

	Outstanding amount on 21-4-61	Variations		
		Over the week	Over the month (ended 21-4-1961)	Over the year
Foreign assets	128.80	+0.81	—24.75	—55.52
Notes and coins held in the Banking Department	22.27	+11.50	—1.81	—2.47
Other loans and advances	126.27	—16.34	—46.90	+24.68

Removal of Lepers to a New Colony

4215. Shrimati Maimoona Sultan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether there is a scheme for moving the lepers including those residing in Jamuna Bazar in Delhi to a new colony;

(b) if so, how many of them will be settled there; and

(c) where the colony has been developed?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes.

(b) 500.

(c) It is proposed to develop the colony at village Tahirpur near Shahdara.

Journalistic Posts in Defence Ministry

4216. Sardar A. S. Saigal: Will the **Minister of Defence** be pleased to refer to the reply given to Unstarred Question No. 1999 on the 22nd December, 1959 and state:

(a) whether it is a fact that the present rules of recruitment and promotion applicable to the Editorial Staff of the "Sainik Samachar" deny avenues of departmental promotion to Assistant Editors/Sub-Editors;

(b) whether it is a fact that all the Assistant Editors and Sub-Editors fulfil the conditions of minimum qualifications and experience required for the text post *i.e.*, Editor and Assistant Editors respectively;

(c) whether it is also a fact that in Information and Broadcasting Ministry, according to rules of Central Information Service, 50 to 75 per cent. of posts in each cadre in I. & B. Ministry are to be filled in through departmental promotions;

(d) whether it is a fact that the staff in I. & B. Ministry can get the benefit of the posts to be filled in through departmental promotion and can also compete for the posts to be filled in through the U.P.S.C. while the staff in "Sainik Samachar" can only compete for the posts filled in through the U.P.S.C.; and

(e) whether the Government would take necessary steps to remove this disparity?

The Minister of Defence (Shri Krishna Menon): (a) The Sainik Samachar has one post of Editor and 2 posts of Assistant Editor. All the three posts are filled by direct recruitment through the U.P.S.C. However, as explained in reply to Unstarred Question No. 1999, such of the incumbents of the posts of Assistant Editor/Sub Editor as have the requisite qualifications and apply for the higher posts are considered for recruitment through the U.P.S.C.

(b) Out of 12 Assistant Editors and Sub-Editors, all except 2 Sub-Editors fulfill the minimum conditions for the next higher posts.

(c) Yes Sir, but recruitment to the last grade, namely, Grade IV Class II, in the Central Information Service is 100 per cent. through the U.P.S.C. whereas recruitment to the posts of Sub Editor in Sainik Samachar is 100 per cent. by promotion.

(d) Yes, Sir. The staff in Sanik Samachar can also compete for posts in Sainik Samachar to be filled through the Union Public Service Commission.

(e) The Editor and the Assistant Editors are the highest posts in Sainik Samachar. It is considered that a high standard of candidates can be selected for these posts only if recruitment is made from the open market. To protect the interests of Assistant Editors/Sub Editors, those with requisite qualifications are also considered for higher posts on merits along with other candidates. No change in the present system is therefore considered necessary.

Automatic Fire Alarms in Delhi

4217. **Shri P. C. Borooah:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether there is a scheme for setting up 100 automatic fire alarms in Delhi; and

(b) if so, what is the progress in its implementation?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The Municipal Corporation of Delhi, who are responsible for the Delhi Fire Service, have only a scheme for setting up about 100 Street Fire Alarms in Delhi and New Delhi. There is no scheme for automatic fire alarms.

(b) The arrangements regarding the installation of Street fire alarms in Delhi/New Delhi are being finalised by the Telephone authorities.

महालेखापालों के साथ हिन्दी में पत्र-व्यवहार

४२१८. श्री प्रकाश वीर शास्त्री :
श्री अर्जुन सिंह भदौरिया :
श्री ब्रजराज सिंह :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिन्दी-भाषी राज्यों की सरकार अपने-अपने राज्यों के महालेखापालों के साथ हिन्दी में पत्र-व्यवहार कर सकती हैं ;

(ख) क्या गत वर्ष किसी राज्य सरकार द्वारा हिन्दी में पत्र-व्यवहार करने पर किसी महालेखापाल ने आपत्ति की थी ;

(ग) यदि उपरोक्त भाग (ख) का उत्तर स्वीकारात्मक हो, तो क्या आपत्ति की गई थी ; और

(घ) यह व्यवस्था कब की जायेगी कि यदि कोई राज्य सरकार चाहे तो वह महालेखापाल और नियंत्रक महालेखा-परीक्षक के साथ हिन्दी में पत्र व्यवहार कर सके ?

वित्त मंत्री (श्री मोरारजी देसाई) : (क) जी हां ।

(ख) जी, नहीं ।

(ग) यह सवाल पैदा नहीं होता ।

(घ) राष्ट्रपति के १९५५ के आदेश में, जो गृह मंत्रालय की २ दिसम्बर, १९५५ की अधिसूचना संख्या एस० आर० ओ० ३६१२ के अन्तर्गत जारी किया गया है, उन राज्य सरकारों के साथ पत्र व्यवहार करने के लिए, जिन्होंने हिन्दी को राज्य-भाषा के रूप में ग्रहण कर लिया है, अंग्रेजी भाषा के अलावा हिन्दी भाषा के उपयोग की अनुमति पहले ही दी जा चुकी है ।

गृह मंत्रालय में सम्पर्क अधिकारियों की नियुक्ति

४२१९. श्री प्रकाश वीर शास्त्री :
श्री अर्जुन सिंह भदौरिया :
श्री ब्रजराज सिंह :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिन्दी कक्षाओं के संचालन के सम्बन्ध में उनके विभिन्न कार्यालयों में कुछ सम्पर्क अधिकारी नियुक्त किये हुए हैं ;

(ख) यदि हां, तो कितने ; और

(ग) इन अधिकारियों को कौन-कौन से काम सौंपे गये हैं ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) केन्द्रीय सरकार का प्रत्येक कार्यालय अपने स्टाफ के हिन्दी न जानने वाले कर्मचारियों के प्रशिक्षण की देखभाल के लिये एक अधिकारी को नामजद करता है ।

(ख) सूचना एकत्रित की जा रही है और यथा-समय सभा-पटल पर रख दी जाएगी ।

(ग) ये अधिकारी इस मंत्रालय स सम्पर्क रखते हैं और अपने दफ्तरों के कर्मचारियों के हिन्दी प्रशिक्षण से सम्बन्धित कामों की देखभाल करते हैं।

हिन्दी के पर्यायवाची शब्द

४२२०. **श्री प्रकाश वीर शास्त्री :**
श्री अर्जुन सिंह भदौरिया :
श्री ब्रज राज सिंह :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) ऐसे कितने विभाग तथा कार्यालय है जिनके पास मे अभी तक उन शब्दों की सूचियां प्राप्त नहीं हुईं जिनके हिन्दी पर्याय तैयार किये जाने शेष हैं ; और

(ख) इस समय केन्द्रीय हिन्दी निदेशालय के पास ऐसे कितने शब्द शेष रहते हैं जिनके हिन्दी पर्याय तैयार करने हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) और (ख). भारत सरकार के मन्त्रालयों में जिन पारिभाषिक शब्दों का प्रयोग किया जाता है वे इस प्रकार है : (१) सामान्य प्रशासन सम्बन्धी पारिभाषिक शब्द जिनका प्रयोग सभी मन्त्रालयों में समान रूप से होता है; तथा (२) मन्त्रालय विशेष में जिस विषय का काम होता हो उससे सम्बन्धित पारिभाषिक शब्द।

अब तक विभिन्न विषयों में जितने पारिभाषिक शब्द बन चुके है (इनमे विभिन्न मन्त्रालयों में समान रूप से काम में लाए जाने वाले पारिभाषिक शब्द भी सम्मिलित हैं) उनकी संख्या सभा-पटल पर रखे गये [देखिये परिशिष्ट ६, अनुबन्ध संख्या ३६] विवरण में दी गई है।

भारत सरकार के ऐसे सभी मन्त्रालयों ने जिनका सम्बन्ध उपर्युक्त दूसरे वर्ग के पारिभाषिक शब्दों से है अपने पारिभाषिक शब्दों की सूचियां हिन्दी अनुवाद के लिए शिक्षा मन्त्रालय को भेज दी हैं। इनमें से ४६३८६ पारिभाषिक शब्दों का अभी हिन्दी में अनुभव नहीं हो सका है क्योंकि इनमे से अधिकांश हाल ही में प्राप्त हुए हैं।

दिल्ली के पुलिस विभाग में हिन्दी का प्रयोग

४२२१. **श्री काश वीर शास्त्री :**
श्री अर्जुन सिंह भदौरिया :
श्री ब्रजराज सिंह :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के पुलिस विभाग के कार्यालयों में ऐसी व्यवस्था कब से की जाने वाली है कि जनता की ओर से मांगे जाने पर किसी उर्दू रिकार्ड की प्रतिलिपियां देवनागरी में प्राप्त हो सकें ;

(ख) क्या दिल्ली पुलिस के हिन्दी जानने वाले कर्मचारियों को इस बात की छूट है कि वे सरकारी कागजातों में उर्दू की जगह हिन्दी का उपयोग कर सकें; और

(ग) यदि उपरोक्त भाग (ख) का उत्तर नकारात्मक हो, तो इसके क्या कारण है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) आवश्यक अनुदेश जारी किये जा चुके हैं।

(ख) और (ग). दिल्ली की कोर्टों में हिन्दी के प्रयोग के लिये पंजाब हाईकोर्ट से स्वीकृति मांगी गई है। इस स्वीकृति के मिल जाने के बाद पुलिस विभाग के कागजातों में हिन्दी का प्रयोग सुलभ हो जायेगा।

नियम संहिताओं आदि का हिन्दी अनुवाद

४२२२. **श्री प्रकाश वीर शास्त्री**
श्री अर्जुन सिंह भदौरिया :
श्री ब्रजराज सिंह :

क्या विधि मन्त्री यह बताने की कृपा करेंगे कि :

(क) अप्रैल, १९६१ तक विधि मन्त्रा-

लय के पास हिन्दी अनुवाद के लिये कितनी नियम संहिताएं तथा फार्म प्राप्त हुए है;

(ख) अब तक विधि मन्त्रालय ने कितनी ऐसी नियम संहिताओं आदि का अनुवाद पूरा करके सम्बन्धित कार्यालयों को सौंटा दिया है; और

(ग) जो कार्य अभी शेष है उसके कब तक पूरा किये जाने की सम्भावना है ?

विधि उपमंत्री (श्री हजरतवीस) : (क) विधिजात नियमों आदि के २६५ सेट। इनमें संहिताएं और फार्म भी शामिल हैं।

(ख) अभी तक संहिताओं और फार्मों सहित विधिजात नियमों आदि के २८ सेटों का हिन्दी में अनुवाद कर दिया गया है और ये सेट सम्बन्धित मन्त्रालयों और विभागों को भेज दिये गये हैं।

(ग) चूंकि बढ़े हुए काम को निपटाने की दृष्टि से अनुवाद अनुभाग के कर्मचारियों की संख्या में वृद्धि करने का प्रस्ताव विचाराधीन है, अतः अभी यह बताना सम्भव नहीं है कि यह काम किस निश्चित तारीख तक पूरा हो सकेगा।

विधि मंत्रालय — हिन्दी अनुवाद

४२२३. { श्री प्रकाश वीर शास्त्री :
श्री अर्जुन सिंह भदौरिया :
श्री राजराज सिंह :

क्या विधि मन्त्री यह बताने की कृपा करेंगे कि :

(क) इस समय तक उनके मन्त्रालय के पास अन्य मन्त्रालयों से अनुवाद के लिये जो सामग्री आयी हुई है वह लगभग कितने पृष्ठ की है ;

(ख) इस समय उनके मन्त्रालय में अनुवाद कार्य के लिये कितने कर्मचारी नियुक्त हैं

(ग) उनमें से प्रत्येक से प्रति मास कितने पृष्ठ के अनुवाद की अपेक्षा की जाती है और क्या कार्यक्रम के अनुसार काम हो रहा है;

(घ) राष्ट्रपति के २७ अप्रैल, १९६० के आदेश के अनुसार जो स्थायी आयोग बनने वाला है उसकी स्थापना में देरी होने का क्या कारण है; और

(ङ) कब तक उस आयोग के बन जाने की सम्भावना है ?

विधि उपमंत्री (श्री हजरतवीस) : (क) ८२०० ।

(ख) ४ व्यक्ति । उन्हें द्विभाषिक संस्करणों (हिन्दी अंग्रेजी) का प्रकाशन सम्बन्धी कार्य भी करना पड़ता है ।

(ग) प्रत्येक अनुवादक से प्रति मास लगभग ३७ पृष्ठ की अपेक्षा की जाती है । यह काम इसी कार्यक्रम के अनुसार चल रहा है ।

(घ) और (ङ). आयोग के सदस्य विधि विशेषज्ञ होंगे। वे भारत के सभी राज्यों से लिये जाने हैं और वे राज्यों की विभिन्न राज-भाषाओं के प्रतिनिधि होने चाहियें । अतः यह आवश्यक था कि इस विषय में राज्य सरकारों से परामर्श किया जाये । राज्य सरकारों से परामर्श करने में और आयोग के लिये उचित सदस्य आदि चुनने में निश्चय ही समय लगता है । आयोग के सदस्यों आदि के बारे में अन्तिम निर्णय शीघ्र ही होने वाला है और उसके तुरन्त बाद ही आयोग नियुक्त कर दिया जायेगा । सरकार इस बात के लिये उत्कंठित है कि आयोग जल्दी से जल्दी बना दिया जाये और इस मामले में कोई अनावश्यक देरी नहीं हुई है

Engineering College at Palghat

4224. Shri Kunhan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any representation has been received from the citizens of

Palghat district regarding the mismanagement of the Engineering College at Palghat run by the Nair Service Society; and

(b) if so, what action has been taken by Government?

The Minister of Scientific Research and Cultural Affairs (Shri Humyaun Kabir): (a) Representations were received from several individuals regarding collection of donations from students as a condition of admission to the College.

(b) At the instance of the Central Government, the State Government appointed an Enquiry Committee which has reported that the allegations are unfounded.

Jeeps for Punjab for Food Production Drive

4225. Shri D. C. Sharma: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Punjab Government have placed an order for the Supply of 10,000 jeeps for use in its campaign to double the food production;

(b) if so, the details of their production plan; and

(c) whether the demand has been agreed to?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir.

(b) and (c). Do not arise.

Imphal Sporting Club

4226. Shri L. Achaw Singh: Will the Minister of **Education** be pleased to state:

(a) whether a sports ground was allotted to and developed by the Imphal Sporting Club at Lamphelpat, Manipur;

(b) whether the ground has been requisitioned by the Manipur Administration for construction of Government buildings; and

(c) whether any alternative site has been offered?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) Yes, Sir.

(c) The Club will be allowed to use another play-field which is being constructed by the Administration near the pologround in Imphal.

Recommendations of Committee on Protective Clothing

4227. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that recommendations of the Committee on Protective Clothing appointed by Director General, Ordnance Factories, have not yet been implemented in Ordnance Factories;

(b) if so, the reason for the delay; and

(c) the main recommendations of the Committee?

The Minister of Defence (Shri Krishna Menon): (a) to (c). The required information is given in the statement laid on the Table of the House. [*See* Appendix VI, annexure No. 40].

हिन्दी में संधियां और करार

४२२८. **श्री प्रकाश वीर शास्त्री** : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) विभिन्न मन्त्रालयों ने १९५९ तथा १९६० में अन्य देशों के साथ कितनी संधियां अथवा करार किये ;

(ख) इन संधियों अथवा करारों सम्बन्धी कितने प्रलेख हिन्दी में भी तैयार किये गये ;

(ग) शेष प्रलेखों को हिन्दी में तैयार न करने का क्या कारण है; और

(घ) क्या भविष्य में सभी संधियों तथा करारों को हिन्दी में भी तैयार करने की निश्चित व्यवस्था की गई है अथवा की जा रही है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) से (ग). सूचना एकत्रित की जा रही है और यथा समय सभा-पटल पर रख दी जाएगी ।

(घ) उन सभी संधियों अथवा करारों का हिन्दी प्रलेख तैयार किया जाता है जिनको भारत सरकार संयुक्त राष्ट्र कार्यालय में रजिस्ट्री के लिये भेजती है ।

संस्थाओं का पंजीयन

४२२९. **श्री प्रकाश वीर शास्त्री** : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या रजिस्ट्रेशन आफ सोसाइटीज एक्ट के अन्तर्गत अपने को पंजीकृत कराने की इच्छुक किसी संस्था के लिये यह आवश्यक है कि वह रजिस्ट्रार के पास अपना विधान अंग्रेजी में ही दें ;

(ख) वर्ष १९६० में दिल्ली के रजिस्ट्रार ने कितनी संस्थाओं को तब तक पंजीकृत करने से इंकार कर दिया जब तक कि वे अपने हिन्दी विधान का अंग्रेजी रूपान्तर न दें; और

(ग) इस बात का क्या प्रबन्ध किया जा रहा है कि किसी संस्था के पंजीकरण में कोई बाधा केवल इस आधार पर न उपस्थित हो कि उसका विधान हिन्दी में है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) जी, नहीं ।

(ख) कोई भी नहीं ।

(ग) प्रश्न ही नहीं उठता ।

हिन्दी में फार्म

४२३०. **श्री प्रकाश वीर शास्त्री** : क्या गृह-कार्य मन्त्री यह बताने की की कृपा करेंगे कि :

(क) कितने ऐसे मन्त्रालय और संलग्न तथा अधीनस्थ कार्यालय हैं जिनका कोई भी फार्म हिन्दी अनुवाद के लिये अभी तक केन्द्रीय हिन्दी निदेशालय अथवा विधि मन्त्रालय के पास नहीं भेजा गया है ;

(ख) यदि हां, तो इसके क्या कारण हैं; और

(ग) यह कार्य कब तक पूरा हो जायेगा ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) और (ख). प्रायः सभी स्टैण्डर्ड जनरल फार्म केन्द्रीय शिक्षा निदेशालय को भेजे जा चुके हैं । विभागीय फार्मों का अनुवाद उनसे सम्बन्धित नियमों तथा संहिताओं के अनुवाद के साथ-साथ किया जायेगा । यह आवश्यक नहीं कि इन फार्मों को अनुवाद के लिये अलग से भेजा जाए ।

(ग) पहली अप्रैल, १९६३ तक । परन्तु अनुभव के आधार पर इस कार्यक्रम में आवश्यकता के अनुसार हेरफेर व संशोधन भी किया जा सकता है ।

हिन्दी में पत्र-व्यवहार

४२३१. **श्री प्रकाश वीर शास्त्री** : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मन्त्रालय में सार्वजनिक संस्थाओं की ओर से इस आशय के सुझाव आये हैं कि हिन्दी में प्राप्त पत्रों, आवेदनों का उत्तर केन्द्रीय सरकार के कार्यालयों द्वारा अनिवार्य रूप से हिन्दी में दिया जाना चाहिए; और

(ख) इस प्रकार की व्यवस्था कब से की जाने वाली है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) जी, हां ।

(ख) राष्ट्रपति के आदेश के अनुसार जो कार्यक्रम तैयार किया गया है उसमें यह व्यवस्था है कि सन् १९६१-६२ के अन्त तक जहां तक सम्भव हो सभी हिन्दी पत्रों का उत्तर हिन्दी में ही दिया जाये ।

Import of Petroleum Products

4232. Shri P. C. Borooah: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Government are considering import of more petroleum products;

(b) if so, to what extent; and

(c) what countries have been made an offer for the supply of petroleum products?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). To meet growing demand, some increase in imports of deficit products may be necessary even after one new refinery goes on stream by the end of 1961; it is too early to state precisely what will be the extent of such increase.

(c) A contract already exists since last year for imports of deficit petroleum products on rupee payment from the U.S.S.R. and quantities being imported under that contract can be increased as and when needed. Further, import of deficit petroleum products from Rumania on rupee payment is also envisaged under the new Trade Agreement with that country.

Mazagon Dock Ltd. Bombay

4233. Shri P. C. Borooah: Will the Minister of **Defence** be pleased to state:

(a) whether Mazagon Dock Limited, Bombay have placed an order for marine gear with Mckie and Baxter, a Scottish engineering firm;

(b) if so, at what cost it is to be purchased; and

(c) when is this order stipulated to be complied with?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir. This machinery is for installation in two tugs being built by Mazagon Dock Ltd. for the Vizagapatam Port.

(b) At a total F.O.B. cost of Rs. 20·6 lakhs.

(c) One set in 12 months and the other in 18 months.

Canadian Defence Team

4234. Shrimati Maimoona Sultan: Will the Minister of **Defence** be pleased to state:

(a) whether a Canadian Defence Team consisting of 16 officers of the National Defence College, Canada, visited New Delhi in the Middle of April, 1961;

(b) if so, what places they visited; and

(c) what was the purpose of their visit?

The Minister of Defence (Shri Krishna Menon): (a) A team of 16 officer students from the National Defence College of Canada were in India from 14th to 22nd April and from 28th to 30th April, 1961.

(b) Delhi, Agra, Palwal, Kanpur, Calcutta and Madras.

(c) As parts of the College course, in order to acquaint the students of the College with foreign countries, the Government of Canada every year arrange visits outside their country. This has included India in past years and the current year. The recent visit to India was in pursuance of this normal practice.

Military Schools

4235. { Shri Mahagaonkar: / Shri Bhakt Darshan:

Will the Minister of **Defence** be pleased to state:

(a) the number of Military (Sainik) Schools and the places where they have been established so far in the country;

(b) whether any reservation of seats has been made for the children of civilian employees working in Defence establishments and for other military personnel in the country;

(c) if so, the seats allotted to each of them; and

(d) if not, the reasons therefor?

The Minister of Defence (Shri Krishna Menon): (a) Five Sainik Schools are proposed to be established during the year 1961 at the following places:

(i) Satara in Maharashtra State,

(ii) Chitoorgarh in Rajasthan State,

(iii) Jamnagar in Gujarat State,

(iv) Kunjpura (Karnal) in the Punjab State, and

(v) Kapurthala in the Punjab State.

(b) to (d). Approximately one third of the seats in the schools have been reserved for the sons of Defence Services personnel. No seats have so far been reserved for the children of civilian employees working in Defence establishments. They are eligible to compete for the remaining seats under the terms and conditions applicable to the children of other civilians. This matter can be however examined.

Free Education for Children of Defence Employees

4236. **Shri Mahagaonkar:**
Shri Bhakt Darshan:
Shri M. B. Thakore:

Will the Minister of **Defence** be pleased to state:

(a) whether Government have under consideration the scheme to award free education to deserving and intelligent children of civilian employees working in the Defence establishments and to other military personnel who are drawing between Rs. 150 and Rs. 500 per month and who come out successful in the entrance examination of the Sainik Schools;

(b) if so, the details thereof; and

(c) if reply to part (a) be in the negative the reasons therefor?

The Minister of Defence (Shri Krishna Menon): (a) Certain proposals for instituting scholarships to enable deserving students but whose means are inadequate to prosecute their studies at these Schools are under examination by the various State Governments where the Sainik Schools are being established. Proposal for extension of Central Government Scholarships to students in these Sainik Schools for the children of Defence Services personnel is also under consideration by the Defence Ministry.

(b) Details of the Scholarship Schemes will be furnished as soon as they are finalised.

(c) Does not arise.

Sambalpur District of Orissa

4237. Shri P. G. Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government are aware of the fact that the Sambalpur District is too big to be administered properly;

(b) if so, is there any proposal to split the district into two districts; and

(c) if so, the areas to be detached to the new district?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) and (c). Do not arise.

Legal Aid to Scheduled Tribes and Scheduled Castes

4238. Shri P. G. Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the amount which has been given to Scheduled Tribes and Scheduled Castes people for legal aid in 1960; and

(b) the amount sanctioned for 1961?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). It is presumed that the information sought in parts (a) and (b) of the question relates to the years 1960-61 and 1961-62 respectively. The information in regard to the year 1960-61 will be laid on the Table of the House as already promised in reply to Shri Kumbhar's Unstarred Question No. 1408 dated the 10th March, 1961. As regards 1961-62, the annual plans from all the State Governments/ Union Territories have not so far been received. Hence, it is not possible to furnish this information to the House at this stage.

Pending Cases in Orissa

4239. Shri P. G. Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a number of cases are not disposed of for years together in different districts of Orissa;

(b) whether Government have given directives to District Magistrates to dispose of the cases quickly; and

(c) if so, whether a copy of the directives will be laid on the Table?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information is being collected from the Government of Orissa and will be laid on the Table of the House in due course.

Seizure of Illegal Mint in New Delhi

4240. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that an illegal mint and several counterfeit coins were seized on the 17th April, 1961 from the house of a woman in West Patel Nagar, New Delhi;

(b) the details of the seizure; and

(c) the action taken in the matter?

The Minister of Finance (Shri Morarji Desai): (a) to (c). Certain materials and implements used for counterfeiting coins as also some counterfeit coins of various denominations were seized from a house in West Patel Nagar. One person was arrested. The case is under investigation.

I.A.S. Officers

4242. { Shri C. M. Kedaria: Swami Ramanand Shastri: Shri Uike:

Will the Minister of **Home Affairs** be pleased to state:

(a) the strength of the cadre of I.A.S. Officers and other Class I Officers, State-wise;

(b) whether any recruitment from the State services to the cadre of I.A.S. and other Class I services has been done during 1958 to 1961;

(c) if so, the number of officers recruited to I.A.S., and the cadre of State service from which they were recruited; State-wise;

(d) the number of posts for I.A.S. and other Class I services reserved for Scheduled Castes|Tribes and how many were recruited against these reserved posts State-wise;

(e) whether any recommendations were made by the Government of Gujerat for recruitment from Scheduled Castes|Tribes to I.A.S. services; and

(f) if so, how many were recommended and how many have been recruited against reserved posts?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The strength of the cadre, State-wise, of I.A.S. Officers is given in the statement laid on the Table of the House. [*See* Appendix VI, annexure No. 41]. The information relating to Class I Officers employed under the various State Governments, asked for in this and other parts of question, is not

available with the Government of India, as they are not administratively concerned with the same.

(b) In accordance with the I.A.S. (Recruitment) Rules, 1954, 25% of the number of senior duty posts borne on the cadre of a State is to be filled from amongst the substantive members of State Civil Service|State Service Officers. No recruitment is however, made to Central Services Class I by promotion from amongst State service Officers.

(c) The number of officers recruited to I.A.S. from State Services against the promotion quota is given in the statement laid on the Table of the House. [*See* Appendix VI, annexure No. 42].

(d) The I.A.S. (Recruitment) Rules, 1954, provide for reservation in favour of candidates belonging to Scheduled Castes and Scheduled Tribes to the extent not exceeding 12½% and 5% respectively of the number of vacancies to be filled through competitive examination. The number of candidates of these categories recruited against the reserved vacancies, and the States to which they have been allotted is given in the attached Statement laid on the Table of the House. [*See* Appendix VI, annexure No. 43]. No reservations are made in the vacancies to be filled in the I.A.S. by promotion from amongst State Services Officers.

(e) No.

(f) Does not arise.

Murder of Milkman in Delhi

4243. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the House of one Chatar Singh of Gandhi Nagar, Shahdara, Delhi was raided by dacoits on the 17th April, 1961 who killed Chatar Singh, beat his wife and sister-in-law to know the whereabouts of valuables and escaped with Rs. 2,000 in cash in addition to clothes and other valuables;

(b) whether any arrests have been made in this connection; and

(c) the action taken so far in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). On the night of the 17th|18th April, 1961, some persons entered the house of Shri Chatar Singh in Mohalla Chand. Raghbar Pura. Shri Chatar Singh was shot dead by them and the culprits decamped with property worth about Rs. 6,000|-, including Rs. 2,000|- in cash. A case under Section 460-I.P.C. has been registered by the police and is under investigation. No arrests have yet been made.

Quotas for Stainless Steel to firms in Jagadhari (Punjab)

4244. Shri Aurobindo Ghosal: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the names of firms in Jagadhri (Punjab) which were allotted quotas of stainless steel during the period ending 31st December, 1960;

(b) the purpose for which it was granted;

(c) the quantity sanctioned in each case;

(d) what machinery the Government of India devised to ensure that such quotas are not misused and the units to whom these have been sanctioned have got the necessary plant and equipment to process them; and

(e) whether as a result of check exercised by the Government of India themselves and not the State Government concerned they have come across any case where malpractice has been resorted to?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (c). Statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 44].

(b) For manufacture of utensils.

(d) and (e). Central Government have no machinery to check up all the cases where steel is allotted throughout the country. It is for the State Government, i.e. the sponsoring authority, on whose recommendations, the releases are made, to check up that the stainless steel is utilised for the purpose for which it is imported.

Government Co-educational Higher Secondary School, Sarojini Nagar, New Delhi

4245. Shri Ram Garib: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that work of construction of the building for the Government Co-educational Higher Secondary School, Sarojini Nagar, New Delhi was to be completed during 1960-61;

(b) if so, what is the progress thereof and by when the building will be completed; and

(c) whether adequate provision for play grounds, Library, bathing tanks, hall-*cum*-auditorium and science laboratory etc. have been made in the plan?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The construction work will be taken in hand shortly. It will take nine to ten months to complete.

(c) Yes, except for the bathing tanks.

Government Girls H. S. School, Sarojini Nagar, New Delhi

4246. Shri Ram Garib: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a Government Girls Higher Secondary School is situated in front of the Sarojini Market in Sarojini Nagar, New Delhi;

(b) if so, whether it is also a fact that unsocial elements continue to throng the hotels etc. and other shops there and create difficulties in the proper discharge of duties both by the teachers and the taught of the said school;

(c) whether it is a fact that the School authorities and the parents of many girl students have requested the authorities to shift the Girls School to the other building nearby in which the Boys School is situated as a measure to put a stop to this menace; and

(d) if so, whether this would be done by the time the new academic session starts?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) to (d). Information is being collected and will be laid on the Table of the Lok Sabha in due course.

अवैध तरीकों से विदेशी मुद्रा प्राप्त करना

४२४७. श्री प्रकाश वीर शास्त्री : क्या वित्त मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पंजाब में कुछ ऐसे व्यक्तियों का पता लगा है जिन्होंने विदेशों से सीधा धन प्राप्त किया है ;

(ख) क्या यह धन रिजर्व बैंक की अनुमति के बिना प्राप्त किया गया है;

(ग) कितने व्यक्तियों ने इस प्रकार धन प्राप्त किया है ; और

(घ) यह उपाय किस प्रकार के थे और सरकार ने इस विषय में क्या कार्यवाही की है ?

वित्त मंत्री (श्री मोरारजी देसाई) : (क) से (घ). माननीय सदस्य सम्भवत: यह जानना चाहते हैं कि क्या पंजाब में कुछ लोगों को विदेशों से गैर-कानूनी तौर पर धन मिल रहा है । सरकार को गैर-कानूनी तौर पर धन भेजे जाने के किसी मामले का पता नहीं है ।

Dictionaries in Regional Languages

4248. Shri Ajit Singh Sarhadi: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether any scheme has been drawn up to have Dictionaries in different regional languages with English and Hindi equivalents; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir; but proposals for multilingual dictionaries are considered on merits.

(b) Does not arise.

Public Employment (Requirement as to residence) Act

4249. { Shri Hem Raj: Shri S. N. Ramaul: Shri Naval Prabhakar:

Will the Minister of **Home Affairs** be pleased to state

(a) whether the Pulbic Employment (Requirement as to Residence) Act, 1957 is due to lapse in 1962;

(b) if so, whether Government propose to extend its life for another ten years, as the people of these backward areas have not been able to come up to the standard of the progressive areas of other States; and

(c) whether Government propose to extend its provisions to the Backward Hilly areas of Punjab?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) **No.**

(b) and c). Do not arise.

12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Accident to Howrah-Puri Express

Shri Hem Barua (Gauhati): Under Rule 197, I beg to call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon:

"The recent accident to the 8 Up Howrah-Puri Express resulting in the death of one person and injuries to many others."

The Deputy Minister of Railways (Shri S. V. Ramaswamy): It is a one-page statement? Shall I read it, or shall I place it on the Table of the House?

Mr. Speaker: He can always make a summary of it.

Shri S. V. Ramaswamy: It is just one page.

Mr. Speaker: Then he may read it.

Shri S. V. Ramaswamy: On 16th April, 1961, at about 00·20 hours while train No. 8 Up Howrah-Puri Express was passing through Contai Road Station, on Howrah-Waltair Broad Gauge single line section of South Eastern Railway, a few bogies on the train were hit by the projecting portion of the ladder of the Down Starter Signal. The train was stopped by pulling the alarm chain by a Passenger from a bogie in which some passengers had received serious injuries. As a result of this accident, one passenger was killed on the spot and 21 passengers sustained injuries, out of whom 14 were grievously hurt and other seven with minor injuries. There was no major damage to Railway property.

The injured persons were rendered first aid on the spot.

I am skipping over the second paragraph. The Government Inspector of Railways has held a statutory enquiry

into this accident on 18-4-61. His findings are awaited.

I am laying the statement on the Table of the House.

[*The second paragraph of the Statement is reproduced below—Ed.*]

The injured persons were rendered first aid on the spot. Three seriously injured persons and the remaining 7 with simple injuries were allowed to continue their journey under the care of a Railway doctor as they insisted to proceed to their destinations at their own risk. Out of the remaining 11 seriously injured persons admitted into the Railway hospital at Kharagpur, two persons have been discharged on their respective risk bond and the remaining nine injured persons in the hospitals are progressing well.

12:03 hrs.

RE: STATEMENT ON SHORTAGE OF POWER IN CALCUTTA

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Before laying the Statement, I want to bring to your notice one thing, and would like to know what we should do in such circumstances. Just now, I have received information which is at variance with the information which is contained in this statement. It is to the effect that the second unit also in Durgapur power station has been set right and that it will commence generation from today. But in the statement, it is stated otherwise, namely, that it will take a week or so. So, shall I make an informal amendment to the statement or what?

Mr. Speaker: He may make a revised statement tomorrow.

Hafiz Mohammad Ibrahim: So, could I lay a revised statement on the Table of the House tomorrow? (*Interruptions*).

Mr. Speaker: He can correct the statement and revise it and place it on the Table tomorrow.

Shri A. C. Guha (Barsat): If the hon. Minister can make a short oral statement now as to the overall position at present, and make a long statement tomorrow, it would be all right.

Shri Prabhat Kar (Hooghly): It is a very important and urgent matter Sir. According to his last statement, the hon. Minister said that the second unit would come into operation in about a week or so. Now, he has got the information that it will commence work in a day or two. How are we to know the exact position unless he gives us an idea about the latest position? (*Interruption.*)

Hafiz Mohammad Ibrahim: What I said was that this morning that unit has also started giving power. In the statement, it is said that the generation of power will take a week or so.

Several Hon. Members *rose*—

Mr. Speaker: Order, order. I am sure all hon. Members are interested in seeing that the unit starts working.

Shri A. C. Guha: I think it will be important to know what is exactly the overall position today. Something has been mentioned in the written statement which he is not laying on the Table today. But something is added to that statement which will be placed on the Table tomorrow. It is desirable that we know today's position. (*Interruption.*)

Mr. Speaker: Order, order. I am not going to allow such things. There is an end or limit to this kind of enquiry. The hon. Minister says that he agreed to make a statement today, but after coming here, he gives good news to the House that the engine is working. He wants, in the light of that, to revise the statement. What will happen tomorrow, till he makes a statement? I am afraid some hon. Members proceed to make merely complaints against the Minister rather than get information.

12:05 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF INDIAN OIL COMPANY LIMITED

The Minister of Mines and Oil (Shri K. D. Malaviya): I beg to lay on the Table a copy each of the following papers:—

(i) Annual Report of the Indian Oil Company Limited for the period from 30th June, 1959 to the 31st March, 1960 along with the Audited Accounts and the Comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956.

(ii) Review by the Government of the working of the above company. [*Placed in Library. See* No. LT-2905/61.]

ACTION TAKEN ON ESTIMATES COMMITTEE REPORT

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table in pursuance of the recommendation contained in paragraph 28 of the Ninety-second Report of the Estimates Committee, a statement showing the extent of operation of ban on recruitment in various Ministries/Departments during the year 1960. [*Placed in Library. See* No. LT-2906/61.]

ANNUAL REPORT OF CSIR

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I beg to lay on the Table a copy each of the following papers:—

(i) Annual Report of the Council of Scientific and Industrial Research for the year 1960-61 along with the Audited Accounts for the year 1959-60, under Rule 79(iv) of the Rules and Regulations and Bye-laws of the said Council. [*Placed in Library. See* No. LT-2907/61.]

(ii) Annual Technical Report of the Council of Scientific and Industrial Research for the year 1959-60. [*Placed in Library. See* No. LT-2908/61.]

REPORTS OF LAW COMMISSION

The Deputy Minister of Law (Shri Hajarnavis): I beg to lay on the Table a copy each of the following Reports of the Law Commission:—

(i) Sixteenth Report on the Official Trustees Act, 1913. [*Placed in Library. See* No. LT-2909/61.]

(ii) Seventeenth Report on the Trusts Act, 1882. [*Placed in Library. See* No. LT-2910/61.]

12·08 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary to Rajya Sabha:—

(i) 'I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Thursday, the 20th April, 1961, adopted the following motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven members from the Rajya Sabha to the Public Accounts Committee for the period commencing on the 1st May, 1961 and ending on the 30th April, 1962:—

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven members from the Rajya Sabha to associate with the Committee on Public Accounts of the Lok Sabha for the period commencing on the 1st May, 1961 and ending on the 30th April, 1962 and do proceed to elect, in such manner as the Chairman may direct, seven members from among the members of the House to serve on the said Committee."

2. I am further to inform the Lok Sabha that at the sitting of the Rajya Sabha held on Friday, the 28th April, 1961, the Chairman declared the following Members of the Rajya Sabha to be duly elected to the said Committee:—

1. Dr. Shrimati Seeta Parmanand.
2. Shri Lalji Pendse.
3. Shri V. C. Kesava Rao.
4. Shri Mulka Govinda Reddy.
5. Shrimati Savitry Devi Nigam.
6. Shri Rajeshwar Prasad Narain Sinha.
7. Shri Jai Narain Vyas

(ii) 'In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Finance Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 22nd April, 1961 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

PRESIDENT'S ASSENT TO BILLS

Secretary: Sir, I lay on the Table following three Bills passed by the Houses of Parliament during the current session and assented to by the President since a report was last made to the House on the 17th April, 1961:—

(1) The Appropriation (No. 2) Bill, 1961.

(2) The Orissa State Legislature (Delegation of Powers) Bill, 1961.

(3) The Finance Bill, 1961.

12.10 hrs.

POINT OF PERSONAL EXPLANATION

Shrimati Mafida Ahmed (Jorhat): May I crave your indulgence for a few minutes to clarify my question? You were pleased to remark referring to my question that individual cases cannot be brought up in this House and the Government can take as much land as required for defence purposes. I want to say that foreign exchange is equally important to implement the defence schemes and tea is the biggest foreign exchange earner of the country. Moreover, tea gardens cater employment to thousands of labourers....

Mr. Speaker: Order, order. She will kindly resume her seat and hear me. Then, if she thinks there is something more to be said, I will allow her. During the Question Hour, I make various remarks allowing or disallowing a supplementary question. When I am satisfied that a question has been answered sufficiently, I pass on to the next question. There is no meaning in any hon. Member now trying to convince me that I should have allowed more opportunity during the Question Hour to put a number of supplementaries.

If she has not been satisfied with the answers and the elucidation, certainly she can ask for a half-hour discussion. If I am satisfied, I shall allow one. There are various methods in which this matter can be brought up to the notice of this House, if she is not satisfied with the answers and if I am satisfied that there is something more to be elucidated. I do not want that the other work in the House should be interrupted by what has already occurred and for which there may be another remedy.

12·12 hrs

COMMITTEE ON THE ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

TWENTY-FOURTH REPORT

Shri Ram Krishan Gupta (Mahendragarh): I beg to present the Twenty-fourth Report of the Committee on Absence of Members from the Sittings of the House.

I also lay on the Table a copy of the statement showing the names of Members who have been continuously absent from the sittings of the House for 15 days or more from the 14th February to 31st March, 1961 during the thirteenth session.

12·12½ hrs.

PRIVILEGES COMMITTEE

TWELFTH REPORT

Sardar Hukam Singh (Bhatinda): I beg to move:

> "That this House agrees with the Twelfth Report of the Committee of Privileges presented to the House on the 28th April, 1961."

There was a resolution adopted in this House on the 20th April that the question of breach of privilege be made over to the Committee of Privileges. The committee met the very same day—on the 20th—and they issued a notice to the editor and to the correspondent that they should appear on the 26th before the committee and they might submit any explanation that they might have to make to the committee. It was also conveyed to them that if they wanted to appear and give some oral explanations, they could do that by appearing at 4 o'clock before the committee on that very date, *viz.*, 26th.

We got an intimation from Shri Karanjia—it was a long letter that has been printed in the report—that he was suffering from a malignant attack of influenza. He enclosed a medical certificate also from a doctor. It says:

> "Certified that Mr. R. K. Karanjia is under my treatment *re*: an acute influenzial bronch attack with very marked constitutional symptoms. Is a little better but has been advised to take rest and not to expose to physical strain for at least a fortn ght."

Shri Karanjia wanted that he might be given six weeks' time to give his explanation. From the long letter that he has sent, it seems that probably he wants to study the authorities and fight out his case. He has, of course, quoted one hon. Member here, Shri Nath Pai, that he had made certain observations that the freedom of the Press is as essential as the prestige of this Parliament and he has just argued on that, saying that unless enough opportunity is given to him in which he could prepare his case, it is not possible to avail of this opportunity that has been given to him. Therefore, he wanted six weeks' time. The committee considered all that and as they wanted that adequate opportunity should be given to him, so that he could say whatever he wanted to, they have agreed and made the recommendation that the House be requested to give that time of six weeks. The committee have asked that they might be allowed to submit their report by the last day of the first week of the next session. This is so far as the case of the editor was concerned.

The local correspondent here, who is assigned to the lobby of Parliament, Shri Raghavan, pleaded that because the editor had taken upon himself the whole responsibility and said that he had edited the despatch that was sent from here, perhaps no responsibility was attached to him and he might be absolved of it, but if the committee thought that still he was responsible, he also might be given six weeks' time. The committee did not agree with that. The committee thought that this time could not be given to Shri Raghavan, who was here every day. He ought to have appeared before the committee

and given the explanation that he wanted to give. The committee have asked him to appear before them on the 5th of May to give any explanation that he desires.

Under these circumstances, the committee have made a recommendation and asked for time, so that the final report may be submitted to the House.

Shri Narayanankutty Menon (Mukandapuram): I want to make a submission regarding the two recommendations on page 2 of this report. Regarding the procedure, I wish to point out that the House has referred the matter regarding the editor and also regarding the correspondent to the committee. Both the committee and the House in deciding this question act as a tribunal, and are bound to take evidence and decide matters judicially. The editor has said that he owns the entire responsibility in the matter and the committee has been pleased to grant six weeks' time to the editor.

At the same time, as far as the correspondent is concerned, the committee has asked him to appear before it on the 5th May. My submission is, in a matter like this in which both the correspondent and the editor have to appear before the committee for joint defence and the subject-matter to be decided is a singular one, it is an accepted principle of jurisprudence, where a tribunal is bound to take evidence and decide matters judicially, the cases of both, the subject-matter being common, have to be decided in a single trial or in a single proceeding.

Secondly, the committee is proposed to meet on the 5th, *i.e.*, the last day of the sitting of the Lok Sabha, when the corresponednt has been asked to appear before the committee. I submit that no useful purpose will be served by having a trial on that particular date against the correspondent alone, demarcated from the proceedings against the editor, because the report can be made only in the next session. Therefore, I submit that in fairness the proceedings against both the correspondent and the editor should be initiated and conducted in one single proceedings, especially when the committee considered it fit that time should be given to the editor and also in view of the preliminary defence by the editor owning the entire responsibility for the publication. I submit that no useful purpose would be served by the committee deciding the question against the correspondent alone, when the report against him can only be made along with the report on the editor in the next session.

Shri Naushir Bharucha (East Khandesh): I think the House would be setting up a bad precedent if it interferes with the procedure that the Privileges Committee propose to adopt in carrying on its proceedings from day to day. The Privileges Committee has decided on a particular procedure. I think the House should not interfere with it. On 5th May, the explanation of that particular correspondent will be taken. We do not know whether the committee will arrive at a conclusion. If it does let it arrive at a conclusion. Why should this House interfere with the day-to-day procedure of the committee in this matter?

Sardar Hukam Singh: I do not agree with Shri Narayanankutty Menon that both the cases are just the same, that both are being tried jointly and nothing could be done against the one separately from the other. Rather the two are quite distinct. What the committee would do ultimately is a different thing. It might come to a decision jointly afterwards. But the committee wants to see what was the despatch really that was sent by Shri Raghavan himself and what was the editing that was done. Before Shri Karanjia comes here, we want to be ready with the facts as to what was the difference made by Shri Karanjia in the despatch that was sent by Shri Raghavan from here. Shri Raghavan should appear—this is the opinion of the Committee—and tell us what is the real report that he made from here and what are the editing changes that have been brought about by Shri Karanjia there.

[Sardar Hukam Singh]

We ought to be in possession of that real despatch that was sent from here and that is why we want him. Further, he is available in Delhi and so we see no justification why he should not be called. In the case of Shri Karanjia, as he says that he is ill, that must be a justification and we have agreed to give him time. But, so far as Shri Raghavan is concerned, there is no justification for his seeking six weeks' time when about the facts he can tell us in a day or two. Even then we have given him some time, up to the 5th, when he might appear and give us all the facts that we want to be in possession of. We propose that he should submit to us the real despatch that he sent from this place.

Shri Ansar Harvani (Fatehpur): Will it be possible for the Committee to reach any decision by calling the correspondent alone when both the Editor and the correspondent have to be examined simultaneously on the same subject? (*Interruptions*).

Mr. Speaker: I do not know whether Shri Narayanankutty Menon is a lawyer. It is well known that civil responsibility is not the same as criminal responsibility. In the civil side, if there is an agent, the principal is responsible for all the actions of the agent. But, in a criminal case, the agent is independently liable, apart from the principal. The agent cannot escape by saying that the principal, in this case the editor, has done so. Neither can the editor say in this case that all was done by Shri Raghavan, who wrote it and caricatured some hon. Member. Therefore, these two types of cases are distinct and separate.

There are four recommendations by the Committee. The first recommendation is to grant time to Shri Karanjia, as required by him. The second recommendation is that Shri Raghavan must appear on the 5th of May before the Committee and give whatever explanation he can and it is for the Committee to decide what further steps ought to be taken. Thirdly, the Committee had been asked to report to this House by the end of April. It wants further time till the first week of the next session. Fourthly, before the next session the Committee may be reconstituted. So, the question is whether there should be a fresh reference to the Committee. It is open to this House to say that the new Committee, which would be constituted, might go on from the stage at which the previous Committee left. These are the four points that have been recommended by the Committee in its Report. The question is:

> "That this House agrees with the Twelfth Report of the Committee of Privileges presented to the House on the 28th April, 1961."

The motion was adopted.

Shri Naushir Bharucha: I would suggest that it might be specifically mentioned that the new Committee might start from the stage where proceedings were left off by the present Committee.

Mr. Speaker: The last recommendation of the Committee in para 6 is as follows:

> "The Committee also recommend that in the event of re-constitution of the Committee of Privileges before the presentation of their final report to the House on this question of privilege, the matter may be considered by the re-constituted Committee."

The House has accepted it. Further, I do not propose to reconstitute the Committee. I will allow the existing Committee to proceed and dispose of this matter.

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12·24 hrs.

INCOME-TAX BILL—*Contd.*

Mr. Speaker: The House will now take up further consideration of the motion moved by Shri Morarji Desai on the 27th April 1961 to refer the Income-tax Bill to the Select Committee. Shri Jhunjhunwala was in possession of the House. But he met with an accident and could not be present here. Shri Naushir Bharucha.

Shri Naushir Bharucha (East Khandesh): I welcome the motion to refer this Bill to a Select Committee. The revision of the Income-tax Act became inevitable in view of the numerous amendments that were made from time to time, and I think the Bill is an attempt in the right direction in simplification of a very complicated statute and I hope ultimately the Select Committee will look into some of the loopholes that even the revised form of the Bill presents itself to us.

Throughout the speeches in this House, and particularly in the speech of the hon. Finance Minister, I noticed one particular lacuna which I propose to make good, and that is the absence of any reference to the arduous labours of the Law Commission which has examined the various statutes and made numerous reports. I am sure this House will pay a spontaneous tribute to the legal acumen, industry and wisdom of the Law Commission which, after so much labour, has produced a series of reports on many of our complicated Acts, and made valuable and useful suggestions for simplification as well as for streamlining them so that these Acts may serve as more effective instruments of a welfare State we have in view.

Naturally, the basic structure of the Act has been maintained as it is, and though efforts have been made to simplify the Income-tax Act, by the very nature of the statute itself and the types of cases it must naturally provide for, it is bound to be that some sort of complexity must inevitably remain. The Finance Minister has broadly referred to the three categories in which these amendments fall, namely, those that deal with removal of difficulties of the assessees, those that provide for a better procedure for the administration of the Act and, thirdly, that category of amendments designed to deal with evasion of income-tax. There are only certain points to which I can refer in the very brief space of time allotted to me, and I am sure the Select Committee will look into many more difficulties, a few of which only I am pointing out.

With regard to the set of amendments rationalising the provisions relating to levy of tax on capital gains, it has been stated that under the existing Act any distribution of capital assets on partition of a joint family or by way of gift or any transfer of capital assets by parent company to its subsidiary are not regarded as transfer for the purpose of capital gains tax. Now it is proposed by this new Bill to add to this category distribution of capital assets on liquidation of companies or dissolution of firms. Of course, it has been provided that shareholders receiving on liquidation of a company assets of value in excess of the cost of acquisition of the shares will be assessed capital gains tax on such assets. In this connection, may I invite the attention of the House to clause 47 of the Bill, which refers to the distribution of capital assets? This requires some careful consideration. I am not quite sure about how the position will be, but the wording of this clause is as follows:

> "Nothing contained in section 45" (section 45 refers to capital gains) "shall apply to the following transfers:
>
> (i) any distribution of capital assets on the dissolution of a firm;"

I should like to know why this exemption has been made in case of dissolution of a firm in the matter of capital assets and what is the purpose

[Shri Naushir Bharucha]

of exempting the firm in case of assets exceeding the value of a partner's share. Such excess should be taxed. Coming to the second question, namely, uniform procedure for computing the cost of acquisition, I think the new Bill does well in giving option to the assessee whether he will prefer the actual cost of acquisition or fair market rate.

On the question of payment of interest by Government on delayed refund, a period of six months has been given to the Government to pay without interest. I do not know why such a long period is required. I think normally that as soon as an assessment is over, the refund cheque should accompany the assessment order and this period requires to be very much curtailed.

With regard to the question of re-opening of assessment of escaped incomes, while I welcome the provisions that are there, I certainly contest the view which has been expressed by one of our Communist members here, who has stated that all cases where any income has escaped assessment must be most severely dealt with. I do not agree with the view that an income escapes assessment in view of the dishonesty of the assessee only. Such is not the case because often cases occur which are on the border line where the assessee believes *bona fide* that the particular portion of his income is not assessable or that even after presentation of facts before the income-tax officer assessment is not made. But in view of the fact that a very technical definition has been provided as to what is meant by income escaping assessment it becomes necessary to reassess that particular assessee.

Take for instance a person writing a book and getting income therefrom. If it is a single instance of writing a book, it will not be assessed to income-tax being casual income; but if a person writes several books and he is a professional author, his income will be assessed. But there will be cases in between where he has written a few books only and it may be a doubtful point whether that constitutes a regular income of the assessee or not. In such cases as also in cases where depreciation has been over-calculated all these things technically mean an income which has escaped assessment. Therefore a guilty conscience or a guilty mind is not always associated with incomes escaping assessment.

I am, therefore, of the opinion that particularly where an assessee has placed all the books before the income-tax officer and made his accounts clear, the limit within which reassessment or reopening of the case can take place should be restricted to eight years only and not more. In fact, I am inclined to believe that it should be much less a period because, after all, the assessee must also have a finality of decision on this point as to how far he is liable and it will not be desirable to see that the assessment is made to linger on in certain cases for as many as 16 years. I, therefore, think that the issue with regard to reopening of assessment should be considered first on the basis whether there is a guilty mind associated with income escaping assessment. If it is not so, the period should be very much shorter.

Coming to the question regarding the provision for recognition of gratuity funds etc., I welcome those provisions. Then some amendments relate to procedural matters. There, the Law Commission had recommended abolition of the Appellate Tribunals which the Government has not accepted. I think the Government should consider more seriously the suggestion of the Law Commission contained in pages 44 to 53 of their report regarding the abolition of the Appellate Tribunals. The Law Commission has quoted extracts after extracts from judgments of High Courts showing how the Appellate Tribunals very

frequently misses the point at issue. Therefore it is very necessary that the suggestions made by the Law Commission should be reconsidered by the Joint Committee.

Coming to the question of recovery procedure, it is very necessary to standardise it. I welcome the change that has been embodied in the Bill.

There is one point to which I particularly invite the attention of the House because it relates to the question of income of charitable trusts. By a new provision incorporated in this Bill—it is clause 11 on page 20—it has now been stated that the exemption now available in regard to income of charitable trusts will be taken away in that it is now proposed that any accumulation in excess of 25 per cent of the income of the trust in any year will be brought under tax. With due respect to the framers of this Bill and to the Government, whatever they may have thought, may I point out that this is a very mischievous clause? How the mischief will work I shall presently specify.

Often it does happen that before a charitable trust there is a long-term objective which cannot be fulfilled with the income of one or two years. As you must be aware, there are many trusts intended for building housing accommodation for poor people. I am a managing trusts of one such small trust of which the deed of trust provides that the trustees may accumulate the income and construct more houses for the poor people out of that. Unless the income is accumulated over a number of years you cannot have sufficient funds at your disposal to be able to construct houses for the poor people. Therefore I submit that this particular clause will virtually nullify thousands of trusts which are *bona fide* and genuine trusts and which have got long range objectives, such as, construction of houses. If the Government step in and say, "Unless you defray 75 per cent of the income of the trust every year, we shall charge you income-tax", the object of the trust is defeated. This is only one case where a long-term objective of the trust is there. I submit that there are many more trusts, thousands of trusts which will come within the mischief of this clause. I appeal to the Government to look into this matter particularly and see that this provision is suitably modified.

I quite agree with the view that where a trust carries on business which is not associated with implementing the primary objective of the trust, such business income should be taxed.

I now come to the question of assessees being bound to disclose income without waiting to be called upon to file a return. This is clause 139. I think this is a salutary clause. But in this respect may I invite the attention of the Government to the fact that often it becomes extremely difficult for assessees to get the necessary blank forms? The other day I had to obtain blank forms for obtaining exemption from estate duty in the case of a client and I had to carry on considerable correspondence with the estate duty commissioner in order only to get blank forms. I do not see why the Government should not issue administrative orders to all officers that on demand immediately the necessary forms of return should be sent to the assessees.

Also, I approve of the provision made with respect to section 23A companies where the liability of the directors or shareholders has been fixed in respect of payment of tax in cases where they have voting power exceeding 10 per cent. I think that this is a very salutary principle. There is no reason why these section 23A companies should be let off lightly.

Another very nice provision has been incorporated here. Often persons acquire companies with substantial losses with the object of setting them

[Shri Naushir Bharucha]

off against profits and thereby evading payment of income-tax. That loophole has been very properly closed.

There is one point to which I shall draw the attention of the House before I close and that is the question of launching prosecutions over and above the payment of penalty. While I am at one with all those who say that dishonest evaders of income-tax must be severely punished, I am of the opinion that in all cases where income-tax has not been paid it is not necessarily dishonesty. There are cases where there is a genuine difference of opinion, where the assessee has produced the books before the income-tax officer and he has not been assessed and yet technically it may amount to this that the man has either concealed his income or something. A very peculiar provision has been incorporated in the Bill, namely, where the assessee produces books from which after due diligence the income-tax officer can find out as to how much he is to be assessed, and if the income-tax officer does not find that out, even then such a case can be reopened. I can understand the administrative difficulties of income-tax officers before whom a pile of books may be placed. An income-tax officer has neither the time to go through all these voluminous account books nor the energy. It may be possible that it may be said that nominally the books were produced which the income-tax officer had no time to look into. But apart from this fact, since it is possible that there may be cases of income escaping assessment, which are not necessarily dishonest, I think that Government should frame the law in such a way that prosecution does not necessarily follow. Of course, if it is a case of plain dishonesty, prosecution must be launched. But in other cases the procedure of compounding should be increasingly adopted and its scope enlarged. In regard to punishment for tax-evasion, I do not know how it is going to be practical. But one has no quarrel with it.

I have only touched a few of the points which on a first reading of this voluminous Bill struck me as requiring attention. There are many more similar matters which I hope the Select Committee will look into.

Mr. Speaker: May I know how long the Deputy Minister proposes to take?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): Not more than twenty-five minutes.

Shri N. K. Sanghi (Nagaur): Sir, the Income-tax Bill, 1961, has been hailed both in the House and outside as a most laudable piece of legislation. The Bill has made many radical changes. As the hon. the Finance Minister has rightly mentioned in the course of his speech, the Bill has been brought forward with a three-fold purpose.

The Bill aims at better and easier understanding of the income-tax machinery assesses, it is designed to provide a better procedure for the administration of the income-tax machinery; thirdly it is designed to check evasion and avoidance of income-tax. It is a matter for congratulation for this Ministry that this comprehensive Bill has been brought before the House and I am sure that when it emerges from the select Committee it will be a landmark in the matter of direct taxation in the country. However, there are certain points which require the serious consideration of the Select Committee.

Hon. Members who preceded me have raised various important points. I would first like to mention the case of refunds. The new Bill lays down that the refund of the excess tax paid would be made payable to the assessee within a period of six months. In case of delay, unless the assessee himself was responsible for it, interest at 6 per cent would be payable to the assessee. I feel that when the law is going to be made stricter and more effective, payment of refunds should

be quicker. Refunds should be made to the assessees within a reasonable period of time, say within a month's time, rather than a period of six months. As is well known, income-tax officers are usually very chary about giving these refunds. They take a very long time in giving them wherever they are due. There have been cases where refunds have been pending for years together. No doubt we should be strict in recovery of taxes and also see that avoidance of tax is eliminated to the maximum extent possible But at the same time we should see that wherever a legitimate refund is due to the assessee, it should be paid promptly. This will give confidence to the people in the country. It will be a source of satisfaction to them that just as tax is recovered, similarly refunds are made promptly.

With the increasing tempo of development under the Third Five Year Plan, the incidence of taxation is bound to increase. We have, therefore, to impart a certain dynamism to the administration. As is well known all over the country there is a sort of phobia in the minds of the people towards the Income-tax Department. We have different sections of assessees: the low-income assessees; middle class assessees and the high income assessees. I would confine myself to the middle class assessees. When they are called to the Income-tax Department they have a sort of terror. They do not understand why they are called. I personally feel that some sort of education should be imparted to the citizens of this country through the Community Development projects. This will go a long way. The income-tax officers should have some sort of understanding of the assessees' problems, so that they may tackle them properly and recover the tax due from them.

As is well known, the small taxpayer when he goes to the Income-tax officers, is subjected to so many harassments. There are officers who keep them waiting for hours together. These assessees who do not understand the technicalities of income-tax law are not extended a helpful attitude with the result that they try to keep away from these offices. It is not basically with a view to evade tax, but ignorance of the law on the part of the assessees and discourteous treatment and unruly behaviour on the part of the officers, that in a democratic country like India really makes them avoid the tax, as long as they can help it.

I am very glad that the Finance Ministry has accepted most of the recommendations of the Tyagi Committee. One of the most fundamental recommendations to my mind is that the office of the Appellate Assistant Commissioner should not be continued under the Finance Ministry. An appellate machinery like the Appellate Assistant Commissioner should be under the Law Ministry or under an Appellate Tribunal. It has been argued that majority of cases have been decided nicely by the Appellate Assistant Commissioners and there have been no appeals. It is quite true, but one should realise the amount of expenditure that one has to undergo in placing his cases before appellate tribunals for some quantum of justice. It has not always possible for the poor assessees to go to the tribunals. The placing of the office of the Appellate Assistant Commissioners under the Law Ministry would create a sort of confidence in the people. There should be some judicial machinery which is not under the influence of this Ministry. The very fact that the first stage of appeal is being heard by a judicial machinery would go a long way in giving confidence to the assessees. I would request the Select Committee to consider this matter, and I would suggest to the Finance Ministry to accept one of the fundamental recommendations of the Tyagi Committee. I would even suggest that the office of the Assistant Appellate Commisisoner may be done away with and many more tribunals may be set up so that justice may be available to assessees near their place of word.

[Shri N. K. Sanghi]

12.49 hrs.

[SHRI JAGANATHA RAO *in the Chair.*]

Then we have the question of tax evasion and tax avoidance. To my mind both the terms connote the same thing and same meaning to the common man. In either case Government stands to lose the money. We must take up this matter seriously. We must see that the loopholes are plugged. A man may get a certain amount of benefits but should pay whatever tax is due from him. The provision should be put in such a manner that whatever is avoided should be treated as evasion. The question of tax evasion has assumed serious proportions during the last few years with the increase in taxes as a result of the changes made in the Income-tax Act of 1922. There have been so many changes and evasion has also been increasing tremendously. The question that come to my mind is as to what the way to reduce it in the years to come. We must educate the people so that they may realise that there is a responsibility on them to pay the tax which is meant for the maintenance of the State. The phobia under which people suffer should also be eliminated. It is only by doing this that cases of tax evasion could be reduced to a large extent.. I am not talking of the big tax-evaders, the capitalist class, who have been systematicaly avoiding the payment of tax for one reason or another, but of the thousands of pepole in the vilages and so on who do not understand and who have to be trained. They are not averse to payment of the tax, but the thousands of people in the villages very treatment, the method of approach to them and discussion with them has to be different. As we see from experience, a phobia is created on account of being autocratic about recovery of a few hundreds of rupees here or there, with the result that as time passes they run away from the taxing department.

There is another very important point. In the present Income-tax Bill we find that the time limit kept for opening a case is sixteen years, whereas under the Companies Act of 1960, under Section 209 (4A) the books of account of a company have to be kept for eight years. This is really a hardship. Whereas the period is eight years under the Companies Act, it is sought to be kept at sixteen years under this Bill. There should be no contradiction between the two and I hope that the Select Committee will go into this question and that Government will also suitably amend the provision in this Bill. The Finance Minister has also said in his speech, which I repeat, that "for the enforcement of the levy of a Central tax like Income-tax, there should be uniformity of procedure and identity of consequences of non-payment." If a case is reopened after sixteen years I personally think that it becomes very hard, because the second generation has to explain on behalf of their fathers or legators. So the period should be reduced and brought to eight years or ten years or any suitable period decided upon by the Select Committee.

In regard to charitable trusts the provision has been broadened and some limitations have been placed. I would suggest to this august House that the idea of the chariable trusts doing business should be completely done away with. Charitable trusts are formed with the object of doing some good work in the country. Their doing business is a thing which should not be allowed. And their funds should be invested in government securities or in interest-bearing deposits. Investing them in business directly or indirectly should be barred by the Bill.

Then we have questions about registered and unregistered firms in this Bill. This has been a question in the Income-tax Act, 1922 also. But in the Indian Partnership Act there is nothing like a registered firm. I feel that the question of having 'registered firms' so far as the Income-tax law is concerned, should be done away with and I hope this will

be taken away in the future Income-tax Bill that will be brought before the House, because the Partnership Act provides sufficient statutory safeguards in this matter. This will save a lot of botheration, and the Indian Partnership Act should be regarded as competent enough to take care of the problems.

Another important problem is the inclusion of minors in the partnership firms. The Bill provides that minors can be included as partners in a business. If a minor is taken in the same business, his income is clubbed, whereas if the same minor is a partner outside his father's business he is assessed separately. Here you will see that the law is circumvented. 'A takes the minor children of B as partners in his business; similarly B takes A's minor children as his partners. I think, till a person becomes major and understands law and what his responsibilities are, to make him a co-partner in business and give him a share is simply ridiculous. The question of inclusion of minors for Income-tax purposes, making them beneficiaries, should be done away with completely.

A statutory allowance of one-sixth for repairs to buildings was contained in the Income-tax Act of 1922 and since then there have been no changes to this percentage in spite of the growing economy and rising prices. The cost of repairs to buildings has gone up tremendously. Especially in respect of buildings in occupation of the owners themselves I would request the Finance Minister to give thought to this matter and give a greater allowance.

In conclusion I would say, that when we see that the tax evasion in our country has gone so high, a healthy climate has to be built and a feeling created in the minds of the citizens of the country that these taxes are being recovered for their good. For creating this healthy mind there has got to be a dynamism in the revenue officers. Unless this sort of dynamism is brought in, such a climate cannot be created. I would like to say this, that unless they adopt a "May I help you" attitude, we will not be going very far in spite of this amending Bill which has been brought on the floor of this House. I would again emphasise some of the most important things I have pointed out and request the Select Committee and the Finance Minister to reconsider the matter and see that the Assistant Appellate Commissioners are placed either under the Law Ministry or under the Tribunals.

Shri Aurobindo Ghosal (Uluberia): The present Bill is the outcome of the efforts of the Law Commission, appointed by the Government in 1956 to simplify the basic structure of the Income-tax law, and the Direct Taxes Administration Enquiry Committee, appointed to consider measures designed to minimise the inconveniences to assess and prevent evasion of Income-tax. In a sense the present Bill is an attempt to codify the Income-tax law which has emerged in the form of amendments for the past forty years since the passing of the Income-tax Act in 1922.

It may be mentioned at the outset that the present Bill does not seek to change the basic structure of the Income-tax law but it seeks to provide for a better procedure and a logical arrangement of clauses with a view to simplification of the assessment procedure and to prevent evasion of tax, as recommended by the Law Commission and also by the Direct Taxes Administration Enquiry Committee.

In the sphere of Income-tax there are two distinct sections. One is the legislation and other the implemental apparatus. It is good that this Bill has been brought to codify the legislation for simplifying the procedural matter. But at the same time Government should divert their attention to reform the administrative section of the Income-tax Department which, I think, is an Augean stable full of age-old reactionary procedures and conventions. The Income-tax Department is a veritable den of corruption and malpractices which have been ventilated from time to time in press and platform, without any remedy.

[Shri Aurobindho Ghosal]

At every step, from assessment to realisation, a tussle goes on between the assessees and the Income-tax officials, and ultimately the assessees have to succumb to the Income-tax officials, not by paying the taxes assessed but by evading the taxes by paying black money for reducing the assessment and sometimes for evading assessment altogether. In the Calcutta Income-tax office the pleader who has got no pull with the Income-tax officers cannot give any relief to his clients. Only the pleader who has intimate connection with the Income-tax officers can command briefs, and nobody else. The big industrialists have got fixed agencies through whom they maintain regular contact with the Income-tax officers and wield immense influence over them. If any honest officer at any time ventures to detect the tax evasion, he is victimised. This has happened in my State. One of the Income-tax officers who was audacious enough to detect evasion by one big firm was sacked, and that is the reason why the honest officers do not venture to detect evasion by these big industrialists. Naturally, if the high-ups of the Department and the Government do not interfere, I think there are still many honest income-tax officials who can realise a big amount of taxes which are being evaded by these businessmen. The big industrialists and capitalists are out of reach of the income-tax officers, and the small businessmen and traders are the worst victims. These persons have neither got the machinery to maintain accounts nor money enough to set up any machinery for that purpose. Naturally, there are delays, and the accounts are also full of mistakes, and they are easily detected, and for that reason, they become the easy victims of these income-tax officers. I personally know of many small businessmen and traders who, though they are honest in giving all the details, still, due to the defective way of keeping accounts, have had to pay a big amount of income-tax which was not due from them, and they had to liquidate their business in the long run.

13 hrs.

My complaint seems to be justified because I find that the number of assessees in the lower income brackets has gone up, whereas the number of assessees in the higher income brackets has gone down. It sounds paradoxical, but it is true, when we hear that the collections from income-tax had been on the decrease during the past decade though admittedly both the production and the national income have gone up; and, again, the national income is admittedly concentrated in a few hands. This is also one of the main reasons why the divisible pool has dwindled down, and it has been complained of also by the Chairman of the Finance Commission. The arrears of income-tax have been increasing gradually. On the other hand, the expenditure on tax collection has increased by about three times. So, I request the hon. Minister to see that the administrative machinery of the Income-tax Department is put in order and also streamlined.

Further, I would request the Select Committee to provide for a deterrent punishment to the tax evader, as recommended by the Tyagi Committee. This is an important factor which has to be taken into consideration along with the problem of plugging the loopholes.

Income-tax matter is intimately connected with audit. In many cases, assessable income has been detected even in the properly audited balance-sheets. Nowadays, even the auditing companies do try to make up the deficiencies of these companies, in order to please their clients. So, I request the Joint Committee to consider this suggestion that if the balance-sheet of any company, audited by an auditing company is proved to be false or defective subsequently, that auditing company should be blacklisted under the code of professional conduct.

Lastly, regarding the privy purses, I do not know on what principle Government have exempted the princes and the kings from taxation. This is

a regular income without any labour. In the age of sweat and blood, I do not know why a permanent category of these parasites should be nurtured. Either give them money at a time so that they can be rehabilitated in proper quarters or impose taxes on their privy purses, as we are imposing on the income of those persons who are earning by the sweat of their brow. I request the Joint Committee to consider this point also.

Shri Warior (Trichur): I want to draw the attention of the Select Committee to just one point. Of course, the Select Committee may themselves consider whether provision is made in this behalf or not, but I am not very sure about it.

My point is this. Certain companies are operating in certain areas, but their headquarters are located at other places. For instance, the Kannan Devan Hills Produce Co. is operating in the Kerala State, and that company has extensive cultivations of plantations there. About one-fifth of the arable land of Kerala is under that one monopoly tea company. They have shifted their head office and also their accountant to Bombay. Similar cases are also there in Bombay. After the bifurcation of the State of Bombay into Maharashtra and Gujarat, very many companies are shifting their offices from Bombay city to Ahmedabad. The assessment is made where the accounts are submitted, and where the head offices are situated, and when the collections go into the divisible pool, naturally, those States in which the head offices are situated get the benefit of it and not those States where the entire operations are done. Formerly, those States had been getting, but because of the shifting of the head office, they are losing that share of that pool which they ought to get. The company is operating in the Kerala State, and their plantations are there, and they have nothing to do with Bombay, except that they keep an office there somewhere in a flat.

This point must be looked into. If this sort of shifting takes place, naturally, many backward States would stand to lose.

I think that some provision must be made in this Bill in this behalf or some other way must be found so that those States which have a right to get their share of the divisible pool are assured of that share.

Shrimati Tarkeshwari Sinha: Let me, at the outset, thank hon. Members for generally welcoming this Bill and for the thoughtful and useful suggestions that they have made in regard to it. I am sure these will receive very careful consideration at the hands of the Select Committee. The way the hon. Members have spoken and the points that they have made about this Bill definitely indicate that they have been able to understand the implications of this Bill clearly. I really congratulate them on their intelligence and understanding. But, I would also like to take a little credit for Government for bringing this Bill in such a simple manner.

This simplification has been mainly due to the efforts made by the Law Commission, and, therefore, I wish to place on record our appreciation and thanks to the Law Commission for having rendered this valuable assistance.

I do not think that it is necessary for me to deal with all those suggestions which have been put forward in this House on the merits of the individual clauses of the Bill. These will, no doubt, be carefully considered by the Select Committee. For the present, I shall confine my remarks to certain specific points raised by hon. Members and also some points that they have raised about the general nature and administration of the income-tax laws as well as its administration.

The first important point that was raised by many hon. Members was in regard to tax evasion. They have made suggestions as to how to meet this problem, and I am sure that these suggestions will come up before the

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Select Committee and will be examined by them. But when they criticise Government and say that Government have not been able to plug the loopholes of tax evasion I would like to stress this fact that this is not a peculiarity of India only. All the tax-levying countries have got to face this malady or disease, and they are trying to do their best in order to plug the loopholes and also to win the battle of wits which is constantly going on between the tax-gatherer and the tax-payer; the tax-payer is necessarily in a little advantageous position because of undisclosed commissions, undisclosed incomes that he may have, and the undisclosed omissions and commissions which he always points out as excuses. As I have said, this is a common feature in almost all tax-levying countries, and attempts are regularly made all over the world by the tax-levying countries to find out various means by which to plug the loopholes. We have been greatly benefited by the experiences of other countries, but those experiences have had to be translated into action in the light of our own experiences, and on the basis of the working of our own income-tax laws here and also looking to our own environment and background.

I would like to tell the House that as early as 1920, the Royal Commission on Income-tax in the United Kingdom drew attention to the existence of tax evasion in that country. In the United States also, the Joint Committee on Tax Evasion and Avoidance, set up in 1956, found that efforts at avoidance and evasion were widespread and amazing both in their boldness and in their ingenuity. It can never be claimed that tax evasion has been completely eliminated in any country of this world. But I certainly like to tell the House that tax evasion does not exist in this country in that large scale as some hon. Members have tried to point out. Much of their comment perhaps arises due to lack of information about the basic structure and the operation of these taxes. We know that there is evasion. From time to time we hear from hon. Members themselves, huge figures being quoted in this House; figures are also quoted by hon. Members on the basis of certain suggestions made by persons elsewhere. By this, an impression in created that there is such a huge amount of money in arrears by way of evasion. I do not deny that there is evasion, but I do not also accept that there is such a huge-scale evasion as some hon. Members have tried to point out. But that does not mean that the Government are not keenly aware of the necessity of fighting tax evasion. Government are in fact consistently taking steps to see that the legal loopholes are plugged. Secondly, they are taking steps to see that we strengthen the administrative machinery of the department so that we can have better enforcement and detection. From time to time a number of important legislative amendments have been made to the Income-tax Act, as for example, the removal of the time-limit for assessment of concealed income and conferment of powers of search and seizure on the income-tax authorities.

These legislative measures were introduced as a result of the acceptance of the recommendations of the Taxation Inquiry Committee. As the House is aware, this was one of the main subjects referred to the Tyagi Committee and on this they have made certain very useful recommendations. The Tyagi Committee have already recommended provision of a minima for penalty, punishment for abetment of tax evasion and other remedies also. The House should really know that these recommendations of the Tyagi Committee have also been incorporated in the Bill and these will receive all careful consideration by the Select Committee.

The Tyagi Committee made certain other recommendations in regard to better collection of arrears and better imposition of taxes, besides providing for punishment for abetment of tax evasion and levy of heavy penalties. Because these were very useful recommendations, they have been accepted

by Government and the necessary provisions incorporated in the Bill. Therefore, there should really be no apprehensions on this score.

Here I would like to refer to the opening remarks of the hon. Finance Minister. He said that one of the main purposes of this Bill is to tighten up the provisions of the income-tax law for dealing with tax evasion. This was the most important point on which he spoke quite comprehensively. He gave instances of such provisions. I need not take the time of the House in elaborating or repeating them. I can assure the House that Government have shown keen awareness of the need for fighting tax evasion by strengthening and enforcing the detection machinery and trying to gear up the administrative set-up and plugging all the administrative loopholes. Following the setting up of the Income-tax Investigation Commission in 1948, we have now the Directorate of Inspection (Special Division). This Directorate was brought into existence to deal primarily with evasion cases of war profiteers. Hon. Members know the function and jurisdiction of the Directorate of Inspection (Special Division) and have commended its performance from time to time. Apart from this, there are two central charges at Bombay and Calcutta and 28 special circles located all over India working under the immediate supervision of the Directorate of Inspection (Investigation Division). These are the two wings working in this behalf. The main function of these bodies is to detect tax evasion by going into the details of the functioning of the companies, individual firms or individual members. Their achievement has not at all been meagre; they have done very very satisfactory work.

Besides these, it should not be forgotten that the regular officers of the department themselves are constantly being geared up. Here I must take some credit when I say that our officers have been trying to do their best to see that evasion is reduced to the minimum extent possible. They have also been successful in bringing in a considerable amount of revenue, and this amount has gone on increasing from year to year, because, they have not only been able to collect back date duty but have also been able o reduce the arrears on a yearly basis. When they were given powers under section 34 of the Income-tax Act, their hands were strengthened quite substantially, and that is why their performance has been very very satisfactory.

Suitable action has also been taken in the past years to strengthen the man-power of the department as also to provide adequate training to officers when they join the department so that they may be competent to detect and tackle tax evasion efficiently. The training given to officers to fight tax evasion and collect the maximum revenue is only one part; the other part of the training which is as important as the first part is to maintain courteous behaviour with the assessees. Some hon. Members who spoke raised this point and said that income-tax officers do not bother about the assessees. In this connection, we have been issuing circulars and also directing them to take action where complaints have been received and giving all our attention to the remarks made in this House or representations made by people outside in the country. We have been trying not only to see that they collect the maximum revenue possible and catch the tax evaders but also to insist that they must maintain courteous behaviour with the assessees. Even when a small, modest assessee comes to the officer, he has to be shown the maximum courtesy possible. These two points have been the fundamental objects of the training.

However, in view of the particular nature of income tax and the problem of determining liability, we are greatly dependent on facts which are in the personal custody of the assessee himself. That is exactly the reason which makes the task of detecting concealment particularly difficult. Direct taxes are not collected then and

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there like indirect taxes; they are levied and then collected. In this respect, the income tax officer who collects direct taxes suffers from one disadvantage. He has to go for assessment of accounts which are one year old. He can only assess after one year has passed and the man has earned the income. So the time that lapses may give advantage to the tax evader who wants to keep duplicate accounts and so on. It is very difficult for the officers to find out which of the accounts and papers provided by the assessees are the correct accounts. They have to exercise their judgement, commonsense and intelligence to find out from the assessees' own books what is the truth and what is not the truth. Where is the money actually lying in his own account? Therefore, we suffer from this initial disadvantage. Still, I can assure the hon. House that Government is doing everything possible to plug tax evasion. The various suggestions that have been put forward by the hon. Members will be taken into consideration, I am sure, by the Select Committee.

Another problem which was referred to by some of the hon. Members related to the recovery of arreas. It was said that the arrears of income-tax were quite substantial and all possible measures should be taken to gear up the collection machinery. In this connection, the position has been explained in this House on several occasions. I would, however take this opportunity of repeating that the position is not as bad as sometimes it is made to appear. The effective arrears as on 1-4-60 are only Rs. 133.6 crores; that is to say, they are about half a full year's amount.

As I have said, unlike indirect taxes, the direct tax system suffers from a handicap. Unlike customs for example, where the assessment and collection of duty takes place before the goods are cleared, in the direct tax system the Income-tax officer comes on the scene at least one year after the income has been earned. In some cases the income earned during that period is spent away. In other cases, assessees who make large profits conceal a portion of their profits and hide the assets representing the concealed profits. That income goes into large profits which are concealed and the profit goes to those types of assets which are not visible to our eyes—which are not before the eyes of the Income-tax Officer or the administrative machinery of Government. The assets relating to the concealed income are unknown because there are various forms in which these people transfer or transform them—known and unknown—and it is very difficult.

As some hon. Member pointed out the collection takes place in some State and the assessment is made in another State. Under the present system the assessee has the freedom to distribute his income in any way he likes, all over the country. Therefore, sometimes, it is impossible for I.T.O. visiting that area to find out in what ways the assessee might have diverted his additional income or hidden income—to certain assets which are not visible to the naked eye.

Our difficulty is that even though the concealed income is assessed, the assets representing that concealed income are not fully known. Therefore, we start with the initial disadvantage.

Shri Bharucha raised the point as to why we have not been able to reduced the arrears and why we take so much time to make assessments and to give refund of money. Some other hon. Members also raised the point. This is exactly the difficulty. The process of collection of taxes is a long process and we are trying to reduce the time of the colection But because of the nature of the things existing today we have to see that we do not leave any sources which

we come across, uninvestigated. Therefore, we have to check up all sources—possible or impossible—if they come to our knowledge. We might have made an assessment; but later on some very useful information may come for further assessment. We cannot leave that information unnoticed. So, this question of giving refund after assessment is made takes some time. We are trying to reduce the time and that is exactly why we have accepted the recommendation that Government also should suffer something. If we delay from our side we shall also suffer by paying interest. We are expected—and the assessees also —to pay interest if we make lapses. Government must also put themselves in the same position as the assessees. We have taken a little more time because of the nature of things. The income as such has to be looked into only after the lapse of some time. Therefore, we must have a little time so that we might have enough latitude to go and do the detailed investigation.

There is another problem before us. That is in regard to *benami* transactions. Shri Tangamani and some other hon. Members have referred to this point. They have expressed concern about that. In order to fight the problem of benami holdings specific provisions have been made in the Income-tax Bill. It has also been proposed that the transfer of properties to defraud revenue, will be void against any taxes to be paid except when made for valuable consideration or when made without notice of the pendency of income-tax proceedings. It is also proposed that interest at the rate of 4 per cent shall be chargeable on income-tax which remains unpaid within the time allowed. We have also adopted a uniform procedure for recovery of income-tax in all the States. We have accepted this recommendation as proposed in the First Schedule of the Income-tax Bill which has been further so designed that the work of recovery can be taken over by the Central Government officers at a suitable time in future if it is considered necessary.

So far as the point raised by the hon. Member who spoke last is concerned, we have ourselves been very much aware of this and this problem has been before Government for a long time and we have been trying to see that we avoid such complications as far as possible and reduce these difficulties to the minimum. But there are certain practical difficulties before us which we cannot check by law. Income earned in one State will mostly go to another State if the assessee finds it more profitable to locate his business there. Our administrative burden increases very much if we start maintaining our office at 10 places. We shall have to keep our accounts at 10 places. But if you have the accounts in one place you can easily go into the question of total assessment and the chances of evasion are reduced. You can really catch hold of all the account books. If the account books are located at different places, it will be impossible to co-ordinate all the account books and bring them into a total whole. That has been our difficulty whereby we have not been able to locate the accounting position of the units themselves.

I am in great sympathy with the hon. Members who have raised this point; but we have certain basic difficulties. Neither can we really ask the assessee to maintain 100 accounts in 100 places nor will it be possible and practicable for us to get hold of all the accounts collected at one place and make the proper assessment and see that no evasion is possible. We have also to depend to a certain extent on the accounting done at one co-ordinated place.

I will now take up some specific points raised by some hon. Members. Shri Nayar, in his speech, wanted to

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know what has happened to the Investigation Commission cases which were affected by the 3 Supreme Court judgments delivered in 1954 and 1955. The hon. Member is not here, but I may inform the House that there were not really three judgments but there were 4 judgments which affected the cases disposed of by the Investigation Commission after 26th January, 1950, the date on which the Constitution of India came into force. The fourth case which the hon. Member did not mention was that of Mr. Bisheshwar Nath *versus* the Union of India, the judgment for which was delivered in 1958. By these four judgments, probably, 1462 cases were affected. It was only to tackle those cases that section 34 of the Income-tax Act was amended in 1954 and 1956 as pointed out by the hon. Finance Minister in his opening speech. A special organisation set up on the pattern of the Investigation Commission was created to dispose of these cases. The names of the organisations set up have already been mentioned in my speech earlier. These are the Directorate of Special Investigation and certain other subsidiary organisations working under the Directorate. The Directorate took charge of the cases affected which had been reopened under the amended section 34 and made a reassessment in all but a very few groups of cases. I would like to inform the House that only 6 groups consisting of 47 cases are outstanding till now. And, that is also not because the Directorate has not been able to tackle those cases but because injunctions from courts have been pending and the Directorate cannot move in this matter till it is decided by court.

Hon. Members Shri Nayar and Shri Tangamani also referred to the point that our collections have been going down in spite of the increased expenditure on the Plan projects.

If a proper analysis is made it will be seen that such a general conclusion does not really give a correct picture of the whole situation. Mr. Chairman, Sir, you will yourself realise that the collections in the years following the end of war included substantial amounts of revenue by way of excess profits tax on earnings during the war. In the years following the war, the assessment of these amounts started and they were completed by the end of 1951. So, in the early periods such as 1951-52 the revenue got a good boost when the assessment was done on the profit earned during the war time. During that period, exceptional profit was earned but their assessment was made after the end of the war. Therefore, there was such an abnormal rise in the income-tax returns and the excess profit tax returns. That was primarily due to the war profits. When these assessments were completed, the revenue gradualy declined from 1951 onwards.

There was a further reason for this decline. We decided to have a Plan and in order to implement the basic things of our Plan, we started giving certain tax incentives for increasing industrial production which in the beginning stages led to a shrinkage of revenue to a great extent. I may inform the House that after such an initial shrinkage, the revenue started looking up as was expected normally and from the year 1955-56 there has been a rise in revenue. The revenue from income-tax in 1956-57 was Rs. 201.59 crores, in 1957-58, Rs. 220.27 crores, in 1958-59; Rs. 226.30 crores; in 1959-60, Rs. 253,77 crores. The income-tax and super-tax collections had gone up by Rs. 160.15 crores and it stood at Rs. 272.36 crores in 1960-61. In fact, we find that there has been a steady rise in the earnings and in the period of six years there has been a rise of Rs. 104 crores, contrary to what the hon. Members have stated. Due to the drive of the clearance of arrears and the start of disclosure cases, several outstanding big revenue-yielding cases of war time, were settled.... (*Interruptions.*)

Shri Chintamoni Panigrahi (Puri): Are the arrears also included in these figures given by the hon. Deputy Minister?

Shrimati Tarkeshwari Sinha: Whatever I have given are the net collections. A number of times this has been explained to the House by the hon. Finance Minister that all the past arrears cannot be effective arrears.

Mr. Chairman: Do these collections include part of the past arrears also? That is the point.

Shrimati Tarkeshwari Sinha: The recovery of the past arrears was mainly done in the year 1951 or before 1951. I have said already that certain big revenue yielding cases were completed after the war years and they are not in existence today. The other cases which are being completed from year to year cannot really yield much revenue. Of course, we are disposing of these arrears from time to time. If it were all arrear collections, then this would not have shown this much increase.

Mr. Chairman: Can the hon. Minister give a break-up of current revenue?

Shrimati Tarkeshwari Sinha: It will take a long time for me to give it.

Shri Chintamoni Panigrahi: If the House could get the break-up, we could have known how the revenue has been increasing or whether only the past arrears have been included in them and they show a big increase because of that.... (*Interruptions.*)

Shrimati Tarkeshwari Sinha: I cannot give a break-up how much of them have become fictitious arrears and how much are effective arrears and so on. But I may say that these collections include arrear collections also. We have already shown a decline of revenue in the years 1954-55, 1953-54 and 1952-53. In these three years we have ourselves shown a decline in revenue and I gave the hon. Members the reason for this decline. Certain big revenue yielding cases were finished and some taxes were collected on the basis of the excess profits tax which did not exist then. But from the year 1955-56 we have gone on. Even if we accept this fact and even if we have been able to collect the arrears, that also shows that our performance is better. If our revenue has got a boost up by better collection of the arrears, the credit is given to the Government. That shows that we have not only gone on making better collections but we have also gone on tapping better avenues and resources for our taxes and we have also improved our position in respect of our arrears; we have improved our pattern of collection. Eitherway, I do not think it is any disadvantage to the Government. On the other hand, it gives credit to our department that we have been able to reduce the incidence of arrears.

Shri Heda raised this point as to whether the Indians abroad could remit their accumulated profits without fear of being taxed on any portion thereof under any possible interpretation of the provisions of the new Bill. I may assure the hon. Member that the new Bill leaves no doubt in this matter and that such profits will not be liable to tax on remittance basis.

Shri Muniswamy who spoke next asked why in India, husband and wife are assessed separately whereas in the U.K. both of them have to file a joint return of their income. The Indian practice according to him has led to evasion of taxes by the husband transferring his property or income to his wife or minor children so as to reduce his own liability. Sir, in the U.K. the practice of the husband and wife being assessed together is due to historical reasons and there is really no necessity for taking that as a model for our use. We have to judge our context and make our own rules and regulations according to

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conditions operating in India. Further in our Act we have specifically provided that any income arising directly or indirectly from any assets transferred to wife or minor children without adequate consideration will be included in the assessee's income, and will be assessable. I would invite the attention of the hon. Members to section 16(3) of the existing Act corresponding to clause 64 of the Bill before the House.

Shri Muniswamy also observed that if evasion of tax was proved in any case, not only a penalty must be imposed but there must be some other punishment also. This is exactly what has been proposed in the Bill. The Finance Minister, in his opening speech, had pointed out that even if penalities are levied for concealment of income it will be open to the department to launch any prosecution in suitable cases if the department thinks that it is a fit case for launching prosecution.

13.41 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

Then, some hon. Members raised the point as to why penalty should be imposed in addition to the interest in the case of default by the assessees in making payment of the taxes. But the explanation is very simple and very clear. It has been made very clear in the provisions of the Bill itself. Interest is proposed to be levied for not paying the tax on the due date allowed in the demand notice. This interest is automatic, and will be payable even if the assessee gets an extension of time from the ITOs. Even if the assessee is permitted to have a little extension of time to submit his returns or accounts, that interest, after the lapse of that period, will be chargeable on that amount automatically. It has nothing to do with punishment. Punishment has been provided if an assessee does not pay the tax on the due date or within the period allowed by the ITOs. Immediately, by virtue of the default in payment, he is liable to punishment. So, we should not confuse the provision for punishment and the provision for interest. Interest will accrue automatically after the allowing of a certain time and even after the extension of time provided by the ITOs themselves, while punishment or penalty will be imposed on the assessee when he pauses and when he does not pay even after the expiry of the due date or even after the extension of the time-limit provided by the ITOs. Therefore, there should be no confusion. The House of course has been very much concerned about the penalties to the tax-dodgers and about the delays that have been caused in paying the taxes. The Tyagi Committee has recommended the suggestions and we have accepted the Tyagi Committee's recommendations in this regard.

Before I conclude, I would like to deal with a few more points raised by some hon. Members, in the debate. All the suggestions made by them will be put up before the Joint Committee. There was a suggestion made about charities and that point was raised by Shri Naushir Bharucha. I admit that the purposes of charity are such that they can be fulfilled only after some years and so accumulation becomes necessary. I admit that point. But I still do not see why tax should not be paid first, and then the amount allowed to accumulate. I have not been able to convince myself about the reasons made out by Shri Naushir Bharucha. I do not see why, even if the charities are such that they have to be accumulated for some years, a tax cannot be paid on them; and after the payment of tax the sum can be accumulated.

Shri Naushir Bharucha: May I point out the incomes from charities are exempt, which is the basic principle of the Act? I mean the genuine charities.

Shrimati Tarkeshwari Sinha: That is true, but what the hon. Member raised was the point that certain accumulations become necessary and on them there may be some hardship.

Shri Naushir Bharucha: That is only one illustration of a long-term objective of a trust. There are thousands of trusts with long-term objectives and all these will be paying tax.

Shrimati Tarkeshwari Sinha: I do not say that we shall not examine this suggestion put forward by the hon. Member. But what he said was about the accumulation. My idea is that the tax can be paid on the amount and after that the amount can be accumulated. However, the suggestion of the hon. Member will be examined and it will be placed before the Joint Committee; and if we find that there are certain genuine cases of hardship, we shall see that the hardship is remedied.

Then there have been some points raised about the amount distributed to the States. I cannot say anything in this matter because that matter is before the Finance Commission. The remarks of some hon. Members on this matter will probably be taken note of by the Finance Commision, and they will examine the propriety of the distribution, the whole basis of distribution of taxes and the propriety of the divisible pool and see on what basis the divisible pool should function. I have nothing to say about it. It is for the Finance Commission to deal with and I think the Finance Commisison will take note of the concern that hon. Members of this hon. House have expressed.

So far as the question of the appellate tribunal is concerned, I really have no need to mention it or go into the details of that question, because I would like to refer hon. Members to the speech made by Shri C. D. Deshmukh, wherein he said he could not accept the proposal in this regard. He really made a very convincing case why the Ministry could not accept the proposal. I would like to refer hon. Members to his speech. They will do well to go through the speech and know what were the basic or the practical difficulties that we had in accepting the proposals regarding the appellate tribunal. I would again request hon. Members to go and read that speech and find out for themselves whether those arguments are convincing or not. At that time, I was a non-official Member of the House and I know that the whole House was very much convinced with the arguments made by the then Finance Minister. Hon. Members may have again an opportunity to explain their point of view at the Joint Committee but so far as I am concerned I fail to see that there is any argument about it yet. I see that there is hardly any necessity for reopening the issue which has been closed.

Then a point was made about the cost of collection. Some hon. Members, to my mind, made a very fallacious argument and completely misrepresented the picture. They said that the cost of collection has gone up very much. The cost of collection has always to be judged in relation to the increase in revenue. The cost of collection as a percentage of net revenue was only 1·96 per cent in 1953-54; in 1954-55 it was 2·19 per cent; in 1955-56 it was 2.4; in 1956-57 it was 2.08; in 1957-58 it was 2·04. So, actually there has been a decline in the cost of collection. In 1958-59, from the figures that are available, it is seen that there has been a slight increase; it was 2·16 per cent. But this, compared to the revenue that was collected, is nothing. After all, it does not go even to 2½ per cent. It is less than 2½ per cent. So, there should be no apprehension in the minds of hon. Members that we spend huge monies in order to collect the revenue.

With these remarks, I commend the motion for reference to the Joint Committee to the acceptance of the House.

Mr. Deputy-Speaker: The hon. Minister has some facts which hon. Members have not got. Therefore, the Members are likely to be misled in their conclusions and their assessment of the situation. But the hon. Minister should not be so harsh in

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judging hon. Members—that they have misrepresented the facts, etc. Rather she might say that they have been misled by certain facts which were not correct, and that they had not got the correct facts in their possession.

Shri Braj Raj Singh (Firozabad): Really, will the figures just quoted by the hon. Deputy Minister prove her case or our case?

Mr. Deputy-Speaker: She said that the cost of collection has not gone up very much. Members can argue that because the amount to be collected was high and much bigger, the percentage in collection has gone down or that the cost has gone up.

Shri Chintamoni Panigrahi: She said it was 2·16 per cent. Has it not gone up?

Shrimati Tarkeshwari Sinha: If they do not listen, what can I do?

Mr. Deputy-Speaker: Even when they do not listen, she is continuing the hammering in the same style.

Shri Tyagi (Dehra Dun): Since it is an important measure, I would suggest that you may kindly ring the bell so that all Members could come in at the time of voting. I am suggesting this only to keep the good name of the House. We must have full quorum. It is a very important measure.

Mr. Deputy-Speaker: My difficulty is, in the interval, we are generally not asking for the quorum. This is now the interval.

Shri Tyagi: Our convention has been that votes are not taken in the interval, that is, during the period between 1·30 and 3 or so. But since this is an important Bill, let votes be taken when many Members are present. It is a matter of a few minutes only.

Shrimati Tarkeshwari Sinha: There is no opposition to the measure.

Shri Tyagi: That is true, but even so . . .

Mr. Deputy-Speaker: Does he feel that there will be a difference in the result?

Shri Tyagi: I am not raising any objection. I think that the Bill is rather important and therefore we may have a quorum.

Mr. Deputy-Speaker: If he is not raising any objection, how can I take cognizance of it?

Shri Braj Raj Singh: If Shri Tyagi's name is included in the Select Committee, the committee might be benefited by his advice, because he headed the Direct Taxes Administration Enquiry Committee.

Mr. Deputy-Speaker: The hon. Member would realise that it was for the Minister to include other names or to substitute some names by others.

Shri Tyagi: The Government have been generous enough in having accepted our advice. What more do we want?

Shri Braj Raj Singh: The House can include some names.

Mr. Deputy-Speaker: That should have been done much earlier and not at this stage when I am going to put the motion to the vote of the House. Probably Government prefer that the committee should have a dispassionate view, without the Chairman of that other committee which made those recommendations.

Shri Naushir Bharucha: As would be clear from the Finance Minister's speech, it was a mistake on the part of the whip.

Mr. Deputy-Speaker: The question is:

> "That the Bill to consolidate and amend the law relating to income-tax and super-tax be referred to a Select Committee consisting of 30 members, namely, Shri K. R. Achar, Shri P. Subbiah Ambalam, Shri Amjad Ali, Shri Premji R. Assar, Shri Bahadur Singh,

Shri Prafulla Chandra Borooah, Shri D. R. Chavan, Shri Shree Narayan Das, Shri Mulchand Dube, Shri M. L. Dwivedi, Shri D. A. Katti, Shri P. Kunhan, Shri Bhausaheb Raosaheb Mahagaonkar, Shri Mathew Maniyangadan, Shri M. R. Masani, Shri T. C. N. Menon, Shri Radheshyam Ramkumar Morarka, Shri Narendrabhai Nathwani, Shri C. D. Pande, Shri Naval Prabhakar, Shri Ram Shankar Lal, Shri Shivram Rango Rane, Shri Jaganatha Rao, Shri K. V. Ramakrishna Reddy, Shri Asoke K. Sen, Shri Laisram Achaw Singh, Dr. Ram Subhag Singh, Shrimati Tarkeshwari Sinha, Shri Radhelal Vyas, and Shri Morarji Desai with instructions to report by the last day of the first week of the next session."

The motion was adopted

13.53 hrs.

DELHI (URBAN AREAS) TENANTS' RELIEF BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to move:

"That the Bill to provide relief to the tenants of land in the urban areas of the Union territory of Delhi, be taken into consideration."

It is a measure of limited application. As you are aware, the then Part C State Legislature passed a detailed law dealing with the land reforms and investing the tenants and occupants with substantial proprietory rights in 1954. Certain villages were further added by an amending Bill by this House. But in both these Acts, the urban area was purposely excluded for the reason that the urban area, as the expression shows, was not an agricultural area. Therefore, all that area was excluded from the operation of these land reform Acts which applied to areas entirely rural in character.

So far as the urban area is concerned, it was subsequently found that there were agricultural lands, though the extent was not very great. But all the same, there were agricultural lands and there were tenants also spread over a number of villages—about 50 villages and parts of about 20 villages. Inasmuch as the actual urbanisation has not taken place completely in the sense that all that property has not yet been completely acquired by the Government, it was considered that until the property was duly acquired, the occupants in these areas should also be entitled to certain rights.

The question then arose as to whether the land reforms Act of 1954 passed by the Delhi Legislature itself should be applied or whether a portion thereof should be applied or whether a new Bill should be brought forward taking into account the urban conditions of this area. As I stated the urban area extends over 50 villages and parts of 20 villages. The actual agricultural land in this area is about 4,000 acres. The total number of tenants is about 1700 in this area. But actually 1200 are non-occupancy tenants. In this case, it was necessary that some relief ought to be given. In the case of the rural area, as you are aware, what the Legislature did by passing the Act was to confer substantial proprietory rights over the tenants for the reason that it was a rural area and the agriculturists or the tenants and occupants were entitled to substantial rights as a permanent measure.

So far as the present urban area is concerned, as I have pointed out already, notifications have been issued by the Chief Commissioner of Delhi for the purpose of acquiring the lands in most of these villages, because Delhi has been developing and oftentimes it was expressed on the floor of the House that the prices were going up, there was speculation and Government ought to acquire more land for the purpose of housing or other purposes. Therefore, last year the

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Chief Commissioner issued a notification under which he told the world that about 34,000 acres and odd would be ultimately acquired by Government for public purposes. I may point out that the urban area that is the subject-matter of this Bill is almost wholly covered by this notification. But the whole land will not be acquired immediately. It will be acquired in certain stages.

As I answered some questions a few days ago, there are certain phases. In the first phase, about 8,000 acres are going to be acquired for the purpose for which this notification has been issued. Under these circumstances, we have to make a distinction between agricultural land in the rural areas for which substantial provision has already been made and the tenants have been given substantial proprietary rights and the tenants in these villages, whether they should also have similar rights or, whether it should be of a different type, in view of the fact that some relief has got to be given to them. After considering the whole thing and taking into account the most important consideration, *viz.*, that some time or other, either in the immediate future or at least in the near future, all these lands will have to be acquired, Government considered that it was necessary to deal with the question of transfer of substantial rights in the urban areas, to which this Bill will be made applicable.

There were certain difficulties even in respect of urban areas where there were agricultural lands of over 4,000 acres in extent and the tenants were entitled to certain relief. That is the reason why as the title shows, this Bill is brought forward to provide relief to the tenants of land in the urban areas of the Union territory. This relief is more or less of two types. It is naturally confined to agricultural lands in the urban areas. The relief that has to be given to them would be generally two-fold in nature. Firstly, inasmuch as there was no law so far as this area was concerned, for preventing evictions, certain agricultural tenants of these lands have been evicted. So far as their number is concerned, 19 tenants have actually been evicted through courts, and 477 tenants have been evicted privately, because there was no law against eviction as such. So, either by way of arrangement or otherwise, 477 tenants were privately evicted.

Shri Braj Raj Singh (Firozabad): What is the land affected by that?

14 hrs.

Shri Datar: Only 4,000 acres, not much. 1,700 are the total number of tenants and the extent of land is 4,000 acres. Out of 1,700 tenants, there are some who have got some occupancy rights. 1,200 tenants have not got any occupancy rights. They are non-occupancy tenants. Therefore, as I was pointing out, in 19 cases there have been evictions through courts, in 477 cases there have been evictions privately and 78 cases have now been pending before the courts. Under these circumstances, Government considered that some sort of relief against eviction ought to be allowed to these people so long as these lands are not acquired at all. I hope the House will kindly take into account this fact that until these lands are acquired, some relief will have to be given to the tenants, more or less during the intervening period, as they are agricultural tenants. Therefore, this is the first type of relief that is to be granted to them. The second question is equally important.

Shri Braj Raj Singh: How much land has been affected by this? The hon. Minister was referring to cases of eviction, 477 cases privately and 19 cases through courts. But what is the acreage?

Shri Datar: I have not got that figure. I shall try to find it out. But the total acreage is only 4,000.

Then, the rent that was being recovered by the landlords in respect of these agricultural lands was fairly heavy. Generally, as in the rest of India before the reforms were introduced, the landlord took one-half of the total produce, either in kind or in money. This was naturally considered as harsh and unconscionable. For that purpose, Government have made provision in this Bill for limiting the extent of rent that has to be paid by a tenant to his landlord to one-fifth of the produce. As the House is aware, when some Act was before Parliament we went into the whole question and, at the suggestion of a number of hon. Members of Parliament, instead of giving the rent in terms of assessment of land revenue, it was given in terms of one-fifth of the actual produce. The same principle has been followed here also.

Then, I shall very briefly take the House through this Bill. As it has been pointed out in clause 1, it extends to the areas in the Union territory of Delhi which, immediately before the 1st day of November 1956, were included in a municipality or in a notified area under the provisions of the Punjab Municipal Act, 1911 or in a cantonment under the provisions of the Cantonments Act, 1924, but shall not apply to the areas owned by the Central Government or the Delhi Development Authority constituted under the Delhi Development Act, 1957. Naturally, when the land has been acquired for developing Delhi, it ought to be exempted from the provisions of this Act.

Then some definitions have been given. Here I would invite the attention of the House to the definition of "person under disability", in whose cases, for personal cultivation, the land can be taken possession of or, as it is technically called, the land can be resumed. There are a number of persons who come under "person under disability", namely, a widow, a minor whose father has died, a woman who is unmarried or who, if married, is divorced or judicially separated from her husband, a member of the Armed Forces, a person incapable of cultivation of land by reason of some physical or mental disability, a person prosecuting studies in a recognised institution and not exceeding 25 years of age and a person who is under detention or undergoing imprisonment. Naturally, persons under the above categories, cannot cultivate land. The word "tenant" has also been defined.

Now I would invite the attention of the House to clause 3, which is one of the operative provisions, which says:

> "After the commencement of this Act, no person shall be liable to be ejected from any land held by him as tenant except on one or more of the following rounds,"

Then the grounds have been given. They are:

> "that a decree for arrear of rent due in respect of the land remains unsatisfied after the expiry of the period allowed therefor;"

We had a similar provision in the Land Reforms Act also. The other grounds are:

> "where rent is payable in kind, that he has without sufficient cause failed to cultivate the land in the manner or to the extent customary in the locality in which the land is situated:"

It is one of the objects of land reform legislation that the land ought to be cultivated. Then, sub-letting is considered one of the irregularities. Another ground is:

> "that he has used the land in a manner which renders it unfit for the purpose for which it was let."

Then, I would invite the attention of the House to sub-clause (2) of clause

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3, particularly item (a). In the land reforms Acts a reference has been made to religious and charitable institutions, and thereunder what has been done is that the rent that was then available to them has been protected and the tenants are also protected from ejection. Here, in this case, we have to take into account two circumstances. One is that there ought to be sufficient income for religious and charitable institutions to carry on their work. Therefore, a provision was made that the rent that was then available to them ought to be continued in the interests of the religious and charitable institutions, and the tenant would remain in possession. Here, in the present case, you will find that we do not deal with the question of transfer of title at all. All that we deal with is the two-fold relief—relief against eviction and the regulation of rent.

Now, so far as religious and charitable institutions are concerned, some amendments have been given notice of by some hon. Members. Possibly, they arise from a misapprehension of the position in this respect. A suggestion that has been made is that all the lands in the possession of these religious and charitable institutions should be exempted from the operation of this Bill. Now, that would work harshly upon the tenants if the land has been in possession of the tenants. But we have made a very important departure, to which I may invite the attention of the hon. House, and that is in sub-clause (2) (a). This is of an entirely different type. The religious and charitable institutions have been given some special right, and it is like this:

> "In any case where the landholder is a religious or charitable institution, on the ground that the institution requiries the land *bona fide* for use for a non-agricultural purpose".

This might kindly be noted because there are religious and charitable institutions, Hindu, Christian or Muslim, who sometimes might require this land *bona fide* not for the purpose of getting the tenant evicted. If the land is required *bona fide* for the purpose of the religious or charitable institution even though that purpose is non-agricultural, it has been allowed in this case for the reason that this is an urban area. So, religious or charitable institutions in whose favour this particular right has been given are entitled to take possession of land for non-agricultural purposes.

There is no question of their taking possession of land for any agricultural purpose because a religious or charitable institution, as you are aware, cannot cultivate the land at all except through its servants. If at all for an agricu tural purpose such a resumption is allowed it will be to the detr ment of the tenant actually in possession. So what has been done so far as religious and charitable institutions are concerned is that the land will continue with the tenant subject to two restrictions as I have pointed out and they will not be otherwise evicted and the rent will be duly regulated.

So, so far as the tenant's rights are concerned, they are safeguarded and so far as the requirements of a religious or charitable institution are concerned, they are also safeguarded by giving them the special right of taking possession even for a non-agricultural purpose. This should be noted.

Mr. Deputy-Speaker: Should it be 'even for a non-agricultural purpose' or only 'for a non-agricultural purpose'?

Shri Datar: Only for a non-agricultural purpose. In the case of an agricultural purpose, the difficulty is that they cannot cultivate the land personally.

Mr. Deputy-Speaker: In that case why should the tenant be ejected? If they want it for agricultural purposes, they would have to have it cu tivated by somebody.

Shri Datar: Here we had to take into account two purposes. One is that the agricultural tenant is in possession and his rights of possession or his rights against eviction have to be protected. Secondly, in this case, it is not a private person; here you have got a religious or charitable institution and it is quite likely that it may require the possession of this land or a portion of this land for the implementation of a purpose wh ch may be a non-agricultural purpose. So this is a special exemption made. In the case of other lands no such exception was made at all. This has been made here because even though it is agricultural land it is in an urban area.

Shri Braj Raj Singh: It has been made specially for Delhi and for no other place in India.

Shri Datar: It has been done in the interest of the religious and char table institutions. In other cases what we have done is that we have guaranteed to them the rent. The hon. Member will kind y note that so far as the Land Reforms Acts are concerned, we have safeguarded the interests of relig ous and charitable institutions by guaranteeing the quantum of rent. In this case, as it is an urban area, a further concession has been allowed for enabling them to take possession of the land provided it is requ red *bona fide* and for a non-agricu tural purpose in furtherance of its objects. These two expressions may kindly be noted.

Then clause 3(2)(b) is in connection with the disabled persons. In the case of disabled persons the provision is as follows:—

> ". . . where the land-holder was a person under disability at the commencement of the tenancy, on the ground that he requires the land *bona fide* for cultivation by h mself or for building a dwelling house . . ."

Again, that also has been included because it is an urban area.

> ". . . a cattle shed or business premises for use by h mself or any member of his family and the proceeding for ejectment is instituted within two years from the date when he ceases or has ceased to be a person under disability."

As to when such a person under disability ceases to be disabled has been made clear in the Explanation which reads thus—

> "For the purposes of this section, the disabi ity of a person shall cease,—
>
> in the case of a widow, if she remarries.....
>
> in the case of a minor, on the date of h s attaining majority;
>
> in the case of a woman who is unmarired or who is divorced or judicially separated . . . on the date of her marriage or re-marriage, as the case may be, . . .
>
> in the case of a person who is a member of the Armed Forces of the Union, on the date of his discharge from service . . .
>
> in the case of a person suffering from a physical or mental disabil ty, on the date on which the disability ceases to exist;
>
> in the case of a person who is prosecuting studies in a recognised institution, on the date when he ceases to prosecute studies in that or any other recognised institution;"

The House will find that these concessions have been allowed in view of the urban nature of this particular locality, as I stated. Then the disability shall cease in the case of a

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person under detention when he is released.

Then, clause 4 is important in the sense that whenever any proceeding is started for eviction, because it could formerly be started, that proceeding shall be abated. It provides:—

> "Save as provided in section 3, no tenant of land shall, whether in execution of a decree or order of a court or otherwise, be ejected from the land, and if there is any proceeding . . ."

I need not read the rest, but it says that the proceeding shall abate.

Clause 5, the next clause, says:—

> "Where, after the commencement of this Act, a person under disability or a religious or charitable institution has taken possession of land by ejecting the tenant therefrom under sub-section (2) of section 3 . . ."

They must carry out the purpose within one year. If they do not carry out the purpose within one year "from the date on which such person or institution took possession thereof", the land might be given back to the person from whom they have taken it. It says:

> ". . . the tenant shall be entitled to be restored to possession of the land from which he was ejected, on the same terms . . ."

etc.

Some sort of a retrospective operation has been allowed in that if after the 1st July 1958, some person has been evicted, he can be restored to possession as laid down in clause 5, sub-clause (2).

Then, I pass on to clause 6. This is most important. It says:

> "The rent payable by a tenant in respect of land held by him as such shall not exceed one-fifth of the produce of the land or the money equivalent thereof, or where a lower rent is agreed upon between him and the landholder, the agreed rent."

As I said, this is a great and a substantial relief. We found that actually the landlords were recovering about half of the actual produce as rent. The rules etc. have to be made and they will have to be placed before Parliament.

As a result of this, there has to be a repealing clause repealing certain Acts. Clause 9 is the repealing clause. It is not necessary to go into this except to point out that when Delhi Province was formed some area was taken from the Punjab and some area was taken from UP. So far as the Punjab area was concerned, it continued to be governed in this particular respect by the Punjab Tenancy Act. The area taken from UP was governed by the Agra Tenancy Act. When this special Act is passed giving two substantial reliefs certain provisions of those Acts are not necessary. Therefore they have to be repealed.

Thus, to conclude, what has been done in this case is to extend some necessary relief to agriculturists of lands situated within the urban area of the Delhi territory. As I stated, this relief has to be for a certain purpose, or you may call for an interim purpose, because in course of time, earlier if not later, all these lands will have to be acquired under the notification that has already been issued for the purpose of developing Delhi.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to provide relief to the tenants of land in the urban areas of the Union territory of Delhi, be taken into consideration."

Shri Warior (Trichur): Sir, this Bill, as the hon. Minister himself has said, has come too late.

An Hon. Member: Better late than never.

Shri Warior: The reason why this Bill has been brought forward has also been stated in an indirect way. The development of the urban areas of Delhi is proceeding very fast and the Government cannot cope with it. Government is moving very slowly and the development is overtaking it by leaps and bounds. In order to checkmate that Government is bringing forward this Bill. Hence the Bill is named in a wrong way. It is called Delhi (Urban Areas) Tenants' Relief Bill. It does not carry much meaning. The relief is only for a very limited interim period. The real fact is that unless something is done immediately, the value of land will increase to such an extent that by the time the slow moving government machinery comes to tackle it for acquisition purposes it would have gone beyond normal limits. Hence this measure has been brought forward. In a way, even as an interim relief it is welcome.

When we look into the provisions of this Bill, we see that this is just like any other land reform measure. When the hon. Minister was speaking you had occasion to clarify certain points. If the relief, at least for the interim period, is to go to the tenants them certain provisions contained in this Bill must be radically altered.

I do not wish to go into the details of this Bill. Clause (3) provides for guaranteering fixity of tenure for the tenants. But all the other clauses provide ample scope for evicting any tenant on some ground or other. For example, sub-clause (1) (a) of clause 3 says:

> "that a decree for arrear of rent due in respect of the land remains unsatisfied after the expiry of the period allowed therefor;"

Why should a tenant be ejected from the holding when he can be made to pay arrears of rent either from his personal property or from the crop raised? The crop raised can be attached. Or he may have some personal property. That can be attached. Why should you be so particular that the tenant must be ejected from his land. Once the tenant is ejected from the land, it would not be restored to him.

Mr. Deputy-Speaker: If he has other property, why can't he pay it himself?

Shri Warior: Arrears of rent arise through various reasons.

Mr. Deputy-Speaker: A decree has been passed.

Shri Warior: Why should a decree be executed on this land? I am all for the recovery of arrears from his personal property. Why not adopt some such measure? Why should you be particular about his land. It is not even provided that it should first be seen whether he has any private movable property, or crop available to be auctioned. How can you recover the arrears by ejecting the tenant? Then it has to be given to another tenant; that tenant may also be ejected, when it may have to be given to a third tenant. The same story might be repeated. The first rent might be one-tenth or one-fifth the actual produce. Now it has come by changing one tenant after another for recovery of arrears of rent to 50 per cent. This 50 per cent is not the initially fixed rent of any plot of land. That has come as a result of the change of successive tenants. This is called black rent, not ordinary or fair rent. If fair rents are fixed this will not come about. Because there is so much of land-hunger, cultivating people will be always looking forward to some ejectment. As soon as one of their kith is ejected another fellow jumps in and offers an increased rent. The land will not yield

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and he will not be able to pay. The owner would go to the court and get a decree. That decree cannot be executed because the rent is still high. This is an endless story and the rent has now come to 50 per cent. Government now steps in and says that it is not fair to have 50 per cent of the produce as the rent. If the idea is to protect the right of the tenant to keep to the land and not be a beggar in the streets of our capital, the tenant must be nailed down to his own land. But the Government is pulling out whatever nails there are. That is why I object to this clause.

Now clause 3(1) (b) says:

> "Where rent is payable in kind, that he has without sufficient cause failed to cultivate the land

To so much I agree. But the clause continues

> "in the manner or to the extent customary in the locality in which the land is situated."

What is the meaning of the latter provision I cannot understand. Suppose today one tenant is cultivating in a certain manner. Can't he change that cultivation. With improved methods of cultivation coming in, can't he change his mode of cultivation? Will that be a ground for ejectment? This is too much. I think the clause should have stopped with the word 'land' and the words "in the manner or to the extent customary, etc." should be delted.

I now come to the most important clause relating to religious institutions. The hon. Minister was very eloquent about protecting the rights of these religious institutions. I would say that the religious institutions are taking advantage of their peculiar position. I have known hundreds of tenants who had been ejected for extending their institutions, a small medical hospital, or dispensary, or some such thing, especially in our place. We have seen certain institutions taking advantage of these loopholes in the enactment and evict tenants. I do not see why we must be so over-enthusiastic to protect these religious institutions where these institutions have to suffer, if at all, by fixing a fair rent. It is not in the interest of the tenant; nor is it in the interest of the institutions also. These institutions are called charitable institutions. Why should charity not begin with their own tenants? Why should the poor tenant be ejected and made to roam the whole land as a beggar. Why create beggars at home and extend charity to some other begging people outside? Let those who are making a living on that land remain there. If the institutions want to have new premises constructed, new dispensaries opened or new colleges started, they will have sufficient funds to purchase land and construct these. Many a time they will come against the interests of the development of the urban areas, even the development plans of the Government. Delhi is going to have a master plan. Suppose, in-between a religious institution is coming along with its cow shed. Can it be allowed in the name of religion? I cannot understand how things are stretched to such an extent.

Mr. Deputy-Speaker: First, charity should begin with the surrender of the proprietary rights in favour of the tenants.

Shri Warior: Yes, Sir, If it comes to that, a tenant has his proprietary rights much more than an institution which might have invested money in it: because the tenant might have been there not because this institution has purchased the land but because he was always there. The institution might have taken him also

along with the title deed of the land. That does not mean that these institutions should be given the right either to have an unfair or abnormal rent or the right to evict these tenants from their land. They can find out other sites if they want any individual institutions to be brought in. This is a very wide power given for these religious institutions.

I fear something more. Suppose somebody does not find a way to eject a tenant. He has simply to donate that much portion to a religious institution, and the religous instituion can be made to evict that tenant and he can get compensation. All these subterfuges are resorted to by people who own land. This provision should not be there and this cover should not be used by anybody to eject any tenant. Because, the basic question is the peasants' question. And when tenancy legislation is enacted, the first and foremost objective, the supreme objective must be how to protect the tenant and not to see how he is not protected but certain other interests are protected instead.

In clause 3(2) also a very wide provision is made. I do not know how many tenants will remain. Item (b) of sub-clause (2) of clause 3 runs like this:

"In any case where the landholder was a person under disability at the commencement of the tenancy on the ground that he requires the land *bona fide* for cultivation by himself" That we can understand. Suppose he loses his job and goes back. Suppose he was a jamedar or a peon in the employment of Government, and he loses his employment; or he was in some mercantile job and loses the job. He has a plot of land in the urban area and he wants to cultivate it for his own living. We can understand that. Let him do so. But please see what follows in that clause : "....for cultivation by himself or for building a dwelling house, a cattle shed".

—a pig sty is not provided here.

An Hon. Member: You can suggest it.

Shri Warior: Very well. It reads ".... a cattle shed or business premises for use by himself or any member of his family etc". For that reason the person cannot be ejected. Anybody can have several members in the family; especially in a Joint Hindu family there are several members of the family. One of them will say, "I will make a cow shed here". And the tenant is evicted for that purpose.

With regard to "business premises" also the hon. Minister had also stated that the business premises are coming up like mushrooms because Delhi is fast developing. You will see so many business premises which are not in a very good order, which are not according to the plan but which are coming up here and there, in a haphazard manner, with thatched roofs and so on. Can we allow that in the interest of the protection of the right of the owner? This is not protection anyway of the right of the tenant; let us be clear about it. If it is protection of the right of the tenant, I can understand and we can sacrifice certain of these things, but if it is.....

Mr. Deputy-Speaker: The hon. Member should appreciate that the reason behind this provision is that there was a disability in a person and probably on account of that disability he allowed the tenant to cultivate. Now that disability is gone, and he wants it for his own use. The point is whether the hon. Member would allow it to him after that disability has gone and he wants it now.

Shri Warior: When this disability was with that person, namely the owner, how did he maintain himself? He might have maintained himself without cultivating. Even after his recovery from the

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disability, I am willing to go to that much extent so far as his own cultivation is concerned. But for building premises, for cow sheds and for so many other purposes, that wide clause should not be provided. If it is for the same purpose as the tenant is using I can understand. The tenant is also debarred from constructing business houses, cow sheds or other things, that is to say, from changing the character or the feature of the land. So much a disabled person who has recovered from the disability may go; he may also cultivate. If it is necessary, let him resume it. But for purposes other than cultivation of the land, it should not be allowed. This is my humble submission.

With regard to the other clauses, I more or less support them. But coming to sub-clause (3) of clause 5 I wish to say that this is a very important clause in the background of what the hon. Minister has said and what is actually happening. In today's *Hindustan Times* there is a very interesting report about the meeting of these unauthorised colonists—it is a Federation or something like that. They passed a resolution urging the Delhi Administration to de-notify the land in about 150 "unauthorised" colonies recently frozen. It was passed at a convention of the residents of the colony and I think one M.P. presided over that—I do not have his name. The resolution stated—this is a very significant report—"that the development of these colonies had been retarded owing to the order of the Chief Commissioner by which about 34,000 acres of land, including these colonies, was notified for acquisition by the Government"

This is the way in which things are moving here. There are unauthorised coloines numbering about a hundred and fifty. The Government will not be able, at this rate, to cope with such a developing situation. Hence, this clause is a very vital clause affecting these persons who are evicted, and at the same time new ventures are made in the very same area where they were formerly operating. The clause reads:

> "Nothing in this section shall be construed as entitling a tenant to be restored to possession of any land if it is under cultivation by the owner who is a person under disability or has, on or before the 28th day of March, 1961, ceased to be used for agricultural purposes."

This is in agreement with what has been provided for in the previous clause also, and under this provision, this land can be resumed by the disabled owners on recovery.

Here, it must be pointed out that these lands are used for purposes other than agricultural purposes also. When these colonies are springing up at such a fast rate, these people are going to get so much by way of enhanced prices for these lands, after acquring them from the tenants, but the tenants are not going to get any share of that increase at all. In *The Statesman* of today, there is an interesting sketch by the Delhi diaryist. He says that because of these unauthorised colonies and building, springing up and because of the rate at which land prices are racketing, a peon working in an office is an owner of a first-class car today. He is going to his office in his car and returning in his car. But out of humility, just before nearing the gate of his office, he gets down from the car, parks the car a few yards away from the gate, and then he goes to his office.

An Hon. Member: You are envying him.

Shri Warior: I am not envying him. The facts are there as presented in the press. This is not what I am saying. So many people like that are making much wealth out of those

unauthorised buildings and colonies now sprining up everywhere. That report also has come in the press. From that, we understand that things will go on....

Mr. Deputy-Speaker: If he has got so much of money why should he stick on to that post?

Shri Warior: That is another matter. He alone konws it. So many taxis are now plying in Delhi, and the owners of these are people who have become rich all of a sudden on account of this speculation in land in and around Delhi.

My only contention is that the tenants also should have a share of enhanced rates which the owners are having when they are resuming the land for purposes other than that of cultivation.

With these observations, I hope that the hon. Minister will accept at least some of our suggestions, and remodel the Bill.

श्री ब्रजराज सिंह : उपाध्यक्ष महोदय, इस प्रकार का निराशाप्रद और उत्साहहीन बिल इस सदन में आयेगा और सन् १९६१ में गृह मंत्री महोदय द्वारा लाया जायेगा, इस की आशा नहीं की जा सकती थी। जब सारे हिन्दुस्तान में आज नहीं, आज से दस या बारह साल पहले जमींदारियां खत्म कर दी गईं तो सन् १९६१ में गृह मंत्री महोदय एक बिल लाते हैं जिस में जमींदारियों जैसी चीज को खत्म करने के लिये कोई व्यवस्था नहीं है। सिर्फ कहते यह हैं कि हम किसानों को कुछ रिलीफ देने जा रहे हैं। एक तो यह कि जो उसका उत्पादन है खेती का, उस के १/५ से ज्यादा उसका रेंट नहीं होगा और दूसरे यह कि कुछ खास मामलों में उसे बेदखल नहीं किया जा सकेगा, यद्यपि इस में जो व्यवस्थायें हैं उनसे हमें पता लगता है कि बहुत ऐसे मामले हैं जिन में उसे फिर भी बेदखल किया जा सकता है।

मुझे आश्चर्य है कि योजना के नाम पर, विकास के नाम पर, किस प्रकार से उन लोगों को जिन का धन्धा खेती रहा है, जो खेती से अपनी जीविका पैदा करते रहे हैं, उन को बरबाद किया जा रहा है। दिल्ली में योजना के नाम पर तथा दिल्ली के विकास के नाम पर सरकार ने किसानों को न सिर्फ दूसरों को बरबाद करने दिया, जिन को कालोनाइजर या कालोनी के मालिक कहा जाता है, उन के द्वारा बल्कि सरकार ने खुद उन को बरबाद करने की कोशिश की, यह आज भी उन को बिगाड़ने में लगी हुई है। मैं कहना चाहता हूं कि इस कानून के द्वारा यही होने को है, इस के अलावा कुछ नहीं। अभी हमारे गृह मंत्री महोदय ने कहा कि सिर्फ ४,००० एकड़ जमीन ऐसी होगी जिस पर इस बिल का प्रभाव पड़ेगा। लेकिन उन्होंने यह नहीं बतलाया कि पिछले दिनों जो ४७७ केसेज ऐसे हुए जिन में जमींदारों और किसानों ने आपस में समझौता करके किसानों को बेदखल करादिया और उन ९० केसेज में जिन में कि अदालत द्वारा किसानों को जमींदारों ने बेदखल करा लिया है, इस बिल का कितना असर पड़ेगा।

आखिर दिल्ली में भूमि की बहुत कमी है। पिछले दस सालों के अन्दर कहीं कहीं पर उस की कीमत ५०० गुनी और कहीं कहीं पर १००० गुनी हो गई है और इस कीमत का फायदा सिर्फ उस को मिला जो सफेद कपड़े पहनना जानता है, जो पढ़ा लिखा है, जिस के पास पैसा है। दिल्ली के विकास के नाम पर यह उन लोगों को बरबादी है जो यहां के पुश्तैनी बाशिन्दे रहे हैं। आखिर जो दिल्ली के पुश्तैनी निवासी हैं या जो खेत जोतने वाले लोग हैं, दिल्ली के विकास का कुछ फायदा उन को भी तो पहुंचना चाहिये। दिल्ली के विकास के माने यह नहीं होने चाहियें कि बाहर से लोग आ कर जमीन का सारा फायदा अपने हित में उठा ले जायें।

मुझे आश्चर्य होता है, यह सरकार कहती है कि उस ने जमींदारियां खत्म कर दी हैं,

[श्री ब्रजराज सिंह]

सरकार कहती है कि वह सोशलिस्टिक पैटर्न आफ सोसायटी बनाना चाहती है, समाजवाद बनाना चाहती है, लेकिन सरका ी सीटों के नीचे दिल्ली में जमीदारी पनप रही है और पूंजीवाद पनप रहा है, और दूसरी चीजें पनप रही हैं। सरकार कहती है कि वह समाजवाद कायम करने जा रही है। अगर समाजवाद का यही नक्शा है तो मैं कहना चाहता हूं कि इस से हिन्दुस्तान की जनता प्रभावित नहीं होगी। इस से दिल्ली के किसान बरबाद ही हो सकते हैं, आबाद नहीं हो सकते। तब आखिर क्या किया जा सकता है ? मुझे आश्चर्य होता है कि जब बिल पेश करने गृह मंत्री महोदय आते हैं तो उन के पास कुल आंकड़े नहीं हैं कि जब खेत लिये जायेंगे तो उस से आखिर कितने लोगों पर प्रभाव पड़ने वाला है । जो दिल्ली का विकास करना है उस के नाम पर जिन किसानों से जमीन छीनी जा रही है, उस विकास का कुछ पैसा उन किसानों को भी मिलने वाला है या नहीं। उदाहरण के लिये इस सदन में बार बार चर्चा की गई उस ३४,००० एकड़ जमीन के बारे में, जिस को दिल्ली प्रशासन ने लेने के लिये नोटिफाइड किया हुआ है, और जिस के लिये कहा जाता है कि उसे जन-हित में लिया जा रहा है क्योंकि दिल्ली का विकास करना है। छोटे छोटे लोगों के लिये मकान बनेंगे, अलग कालोनी बनेगी, सरकारी दफ्तर बनेगे, इस में मुझे कोई ऐतराज नहीं है। मैं मानता हूं कि जहां इस तरह के विकास कार्य करने की आवश्यकता पड़ेगी वहां पर जमीन चाहिये ही । लेकिन जब जमीन चाहिये तो यह सोचना चाहिये कि जिस की जमीन वह है, उस को भी जो विकास हो रहा है, जो लाभ मिल रहा है, क्या उस लाभ का कोई हिस्सा दिया जा रहा है या नहीं। मुझे लगता है, और इस पर मेरी मूल आपत्ति है, कि जिधर आज विकास योजनायें चल रही हैं, दिल्ली या दूसरी जगहों में कारखाने बनाने के लिये आप जहां किसानों की जमीन ले लेते हैं उन को आप मुआवजा देते हैं सन् १८९२ के लैंड ऐक्विजिशन ऐक्ट के मुताबिक जिस में कहा गया था कि किस तरह मुआवजा दिया जायेगा, लेकिन जिन जमीनों को आप डेवेलप करने के लि कहते हैं और कहते हैं कि हम उन का विकास करेंगे, उन से आप खुद मुनाफा उठाते हैं या दूसरों को मौका देते हैं, जिन को कालोनाइजर कहा जाता है। यह न सिर्फ दिल्ली में या दूसरी जगहों में ही हो रहा है बल्कि वहां भी हो रहा है जहां पर स्टील प्लान्ट लगाये जा रहे हैं, जहां राज्य का बहुत सा धन पब्लिक सेक्टर उद्योगों में लग रहा है। उन उद्योगों के लिये जो जमीन ली जाती है उस का फायदा किसानों को नहीं पहुंचता है, दूसरे लोगों को, जो बीच में आते हैं, उन को पहुंचता है। मैं मानता हूं कि किसानों को नाजायज फायदा मिलने का मौका नहीं होना चाहिये क्योंकि दिल्ली हिन्दुस्तान की राजधानी है और चूंकि राजधानी होने के नाते उस का विकास हो रहा है इस लिये किसानों को अधिकार नहीं होना चाहिये कि वह अपनी जमीन का नाजायज पैसा लें, लेकिन नाजायज फायदे की बात तो दूर रही है, उन को जायज पैसा मिल सके, इस की कोई व्यवस्था क्या सरकार की ओर से की जा रही है ? मुझे अफसोस होता है कि इस तरह की कोई व्यवस्था इस बिल में नहीं है। जब ३४,००० एकड़ जमीन के लिये जाने की घोषणा की गई थी तब इस बात को कहा गया था कि जो कुछ भी हो रहा है, जिन की जमीन ली जा रही है,उन को उस का पैसा दिया जायेगा, और उस का कुछ हिस्सा किसान को भी चाहिये। कहा गया कि शहर के विकास के लिये जिन के मकान हम लेंगे उन मकानों के लिये उन को मुआवजा देंगे। यह चीज तय कर के सुनाई गई। लेकिन जब किसानों से

हम जमीन लेंगे तो उन को मुआवजा सन् १८९२ के लैंड ऐक्विजिशन ऐक्ट के मुताबिक तय करेंगे । जैसे मुआवजा तय किया जायेगा सन् १९६१ में उस की व्यवस्था सन् १८९२ के कानून के अनुसार की गई है । मैं कहना चाहता हूं कि यह किसान के साथ घोर अन्याय है जिस की किसानों को जानकारी नहीं है । किसान आज इस चीज को समझते नहीं हैं क्योंकि वे राजनीतिक रूप से जागृत नहीं हैं, और इस लिए वे इस का विरोध नहीं कर सकते । लेकिन जब वे जागृत होंगे, जब उन को इस तरह की शिक्षा मिलेगी, तो वे यह महसूस करेंगे कि इस देश के अन्दर इस वक्त की सरकार ने कितने कार्य उन के खिलाफ किये थे । मैं कहना चाहता हूं कि इस विधेयक में भी इस तरह के अन्यायपूर्ण क्लाज हैं । आखिर हम इस विधेयक में क्या व्यवस्था करना चाहते हैं । इस बिल की जो धारा ३(१)(ए) है उस में कहा गया है :

"That a decree for arrear of rent due in respect of the land remains unsatisfied aftter the expiry of the period allowed therefor;"

अभी जब हमारे मित्र श्री वारियर बोल रहे थे इस विधेयक पर तो उन्होंने इस सम्बन्ध में कुछ कहा नहीं । मैं पूछना चाहता हूं मंत्री महोदय से कि क्या हिन्दुस्तान में कोई भी इस तरह का कानून है कि लगान न देने पर, मालगुजारी न देने पर, देश के किसी भी हिस्से में किसान को बेदखल किया जा सकता है ? मैं कहना चाहता हूं कि कहीं पर भी हिन्दुस्तान में आज किसान लगान या मालगुजारी न देने की वजह से बेदखल नहीं किया जा सकता । इसके लिए आप उसकी फसल कुर्क कीजिये, उसका घर कुर्क कीजिये, उसकी भैंस कुर्क कीजिये, उसका बैल कुर्क कीजिये लेकिन इसके लिए यह अपनी जमीन से बेदखल कर दिया जायेगा ऐसा कोई कानून हिन्दुस्तान के किसी भी राज्य में नहीं है । लेकिन दिल्ली में यह है कि अगर लगान या मालगुजारी न दे और डिक्री अनसैटिसफाइड रहे तो उसे बेदखल कर दिया जाये । यह घोर प्रतिक्रियावादी व्यवस्था है और इस प्रकार की व्यवस्था कम से कम अप्रैल सन् १९६१ में तो नहीं की जानी चाहिए जब कि दुनिया इतनी आगे बढ़ रही है और लोग चन्द्रमा में पहुंच रहे हैं । आज ऐसी व्यवस्था नहीं की जानी चाहिए कि अगर कोई किसान लगान या मालगुजारी न दे तो उसको बेदखल किया जा सकता है । मैं नहीं समझता कि आज ऐसी व्यवस्था की जा सकती है, और यह भी दिल्ली में जहां आज जमीन की कीमत इतनी बढ़ रही है । अगर यहां कानून में इस तरह की व्यवस्था होगी तो अदालत से डिक्रियां ली जायेंगी, उनका किसान को पता भी नहीं हो पायेगा, यह भी दिखा दिया जायेगा कि यह अनसैटिसफाइड रही और इस तरह किसान को बेदखल कर दिया जायेगा ।

उन ४७७ मामलों में जिनके लिए यह कहा जा रहा है कि किसान और लैंडलार्ड में समझौता हो गया है, मैं समझता हूं कि किसानों को धोखा दिया गया है । मैं कहना चाहता हूं कि ऐसे मामलों में किसान की अशिक्षा, अज्ञान, असंगठन और कमजोरी का फायदा उठाया जाता है । जिन के पास पैसा है, शक्ति है वह इस तरह से फायदा उठाते हैं ।

अब आप देखें कि धारा ३(१)(डी) में कहा गया है :

"That he has used the land in a manner which renders it unfit for the purpose for which it was let".

अगर उसने कहीं अपनी मड़ैया अपना घर बनाने के लिए एक छोटा सा भट्टा बना लिया तो उससे एक गड्ढा हो जायेगा और इसलिए उतनी जमीन खेती के योग्य नहीं रहेगी, तो इसी बात पर उसे बेदखल किया जा सकता है । अगर वह ऐसा करता है तो इसके लिए आप उसकी सजा दें यह अलग बात है,

[श्री बलराज सिंह]

लेकिन उसकी बेदखल किया जाये इस पर तो आज विचार भी नहीं किया जा सकता । खास तौर से दिल्ली में जहां आज जमीन की इतना कीमत है उसको इस तरह से बेदखल नहीं किया जाना चाहिए ।

इस के बाद हम देखते हैं कि गृह मंत्री महोदय ने धार्मिक संस्थानों के लिये बड़ा प्रेम व्यक्त किया है । धारा ३ (२)ए० में कहा गया है :

"in any case where the landhilder is a religious or charitable institution, on the ground that the institution requires the land bona fide for use for a non-agricultural purpose in furtherance of its objects".

और इन आब्जक्ट्स की कोई व्याख्या नहीं की गयी है । हो सकता है कि कोई धार्मिक स्थान आने वाले यात्रियों के लिये होटल बनाना चाहे और उस के लिये जमीन को लेना चाहे तो वह ले सकेगा और किसान को बेदखल किया जा सकेगा । और ऐसा करना उस धार्मिक स्थान के आब्जक्ट्स के फरदरेंस के लिये होगा । इस चीज को रोकने के लिये गृह मंत्री महोदय क्या व्यवस्था करेंगे क्योंकि उन्होंने उन आब्जक्ट की परिभाषा नहीं की है । और दिल्ली में अनेक ऐसी बातें हो सकती हैं कि दिल्ली के विकास के नाम पर किसान से जमीन ले ली जाय । लेकिन इस चीज को गोल छोड़ दिया गया है । मैं तो कहना चाहूंगा कि किसी धार्मिक संस्थान को इस प्रकार का अधिकार नहीं होना चाहिये कि वह अपने उद्देश्यों को बढ़ावा देने के लिये किसी किसान को उस की जमीन से बेदखल कर सके । अगर वह संस्थान अपने उद्देश्यों को बढ़ावा देना चाहता है तो अपनी जेब से पैसा खर्च कर के वैसा करे न कि किसी किसान को उस की जमीन से बेदखल कर के । किसी धार्मिक संस्थान को ऐसा अधिकार देने की बात सोची भी नहीं जा सकती ।

आगे कहा गया है :

"in any case where the landholder was a person under disability at the commencement of the tenancy on the ground that he requires the land bona fide for cultivation by himself".

अगर इस तरह की व्यवस्था इस में करदी जायेगी तो निश्चित रूप से सौ में से सौ केसों में ऐसा होगा कि जमींदार कहेगा कि अब मैं डिसेबिल्ड नहीं रहा हूं और अब मुझे जमीन वापस की जाये । इस का नतीजा यह होगा कि किसान जो कि नंगे पैरों घूमता है, जो घुटनों से ऊपर की धोती बांधता है और अपने सिर से अपनी फटी धोती लपेटता है वह इस बात को समझ नहीं पायेगा और लैंडलार्ड जो कि डिसेबिल्ड था यह इस व्यवस्था का नाजायज फायदा उठायेगा । अगर वह शुरू में डिसेबिल्ड न होता और अपनी जमीन उठा देता तो उस को वापस लेने का अधिकार न होता, लेकिन डिसेबिल्ड होने की वजह से उस को यह अधिकार दिया जा रहा है । मेरी समझ में यह मुनासिब नहीं है ।

आगे चल कर आप कहते हैं :

"on the ground that he requires the land bona fide for cultivation by himself . . . .".

लेकिन सिर्फ खेती की ही बात नहीं है, आगे आप वह भी कहते हैं :

"or for building a dwellling house".

अब जहां तक डवेलिंग हाउस का सवाल है, वह तो इतना बड़ा भी बन सकता है जितना बड़ा कि अमरीकन एमबेसी है । यही नहीं इस के आगे आप वह भी कहते हैं कि यह जमीन कैटिल शेड है या बिजनेस प्रमिसेज के लिये भी ली जा सकती है । आप कहते हैं :

"a cattle shed or business premises for use by himself or any member of his family and the proceeding for ejectment is instituted

within two years from the date when he ceases or has ceased to be a person under disability".

अब यह बिल पास हो रहा है तो इस के पास होने के दो साल के अन्दर यानी सन् १९६१ और १९६२ में यह लैंडलार्ड इस प्रकार की कार्यवाही कर के किसान को बेदखल करवा सकेगा। मैं कहना चाहता हूं कि हिन्दुस्तान के और राज्यों में जमींदारी को आज से दस बारह साल पहले खत्म किया जा चुका है। लेकिन सिर्फ उन प्रदेशों में आप उस को कायम किए हुए हैं जहां आप बैठे हैं। सिर्फ इसलिये कि दिल्ली देश की राजधानी है इस लिये वहां के किसानों को एक नहीं पचीसों आधार पर उन की जमीन से बेदखल किया जा सकता है। मैं कहना चाहता हूं कि यह महान प्रतिक्रियावादी विधेयक है किसान को बेदखल करने वाला विधेयक है। मैं कहना चाहता हूं कि यह विधेयक सरकार की उस नीति का द्योतक है जिस के मुताबिक यह पूंजीवाद को बढ़ावा देना चाहती है। जहां उस को मौका मिलता है वह पूंजीवाद को बढ़ावा देती है। इसी लिये दिल्ली में जमींदारी को कायम रखने का प्रयत्न किया जा रहा है। यहां पर केवल ४००० एकड़ भूमि का मामला है किन्तु उस में भी पूंजीवाद को सरकार बढ़ावा देना चाहती है ताकि बड़े बड़े लोग यहां आयें और यहां आ कर बिलनस बढ़ायें। इसी लिये यहां पर से जमींदारी को खत्म नहीं किया जा रहा है बल्कि ऐसी व्यवस्था की जा रही है कि किसी न किसी तरह किसान को बेदखल किया जा सके।

और आगे धारा ५(३) में यह कहा गया है :

"5(3). Nothing in this section shall be construed as entitling a tenant to be restored to possession of any land if it is under cultivation by the owner who is a person under disability or has, on or before the 28th day of March 1961, ceased to be used for agricultural purposes".

यानी अगर यह जमीन एग्रीकल्चरल परपजेज के लिये इस्तेमाल नहीं भी हो रही है तो उस से किसान को कोई लाभ नहीं मिल सकेगा। अगर उस से लाभ मिलेगा तो उस डिसेब्लिड परसन को, किसान को उस से कोई लाभ नहीं मिल सकेगा। मैं पूछना चाहता हूं कि यह किस तरह की नीति है। आप यह बिल किसान के भले के लिये लाये हैं। लेकिन जो आप रिलीफ दे रहे हैं उस से इस का विनाश महा विनाश होने जा रहा है। मेरा निवेदन है कि यदि सरकार इस बिल के द्वारा काश्तकार को कोई लाभ देना चाहती है तो इस में क्रान्तिकारी परिवर्तन होना चाहिये। इस बिल से उस हर व्यवस्था को निकाल दिया जाना चाहिये जिस में किसी भी आधार पर किसान को उस की जमीन से बेदखल किया जा सकता है। हर उस व्यवस्था को इस में से निकाल देना चाहिये जिस के द्वारा किसान को अपनी जमीन का पूरा लाभ मिलने से वंचित किया जा सकता है। मैं आशा करूंगा कि गृह मंत्री महोदय इस पर विचार करेंगे और सिर्फ इस आधार पर कि दिल्ली का विकास हो रहा है और यह देश की राजधानी है, गरीब लोगों को उन की जमीन छोड़ने के लिये मजबूर नहीं किया जायेगा।

अन्त में मैं यह पूछना चाहता हूं सरकार से कि जहां भी अरबनाइजेशन हुआ है और खास तौर से दिल्ली में क्या सरकार ने यह देखने की कोशिश की है कि जिन लोगों की जमीनें सन् १९६२ के कानून के अधीन ली गयीं जिस में कि मुआवजा बहुत कम दिया जाता है, क्या उन को हिन्दुस्तान के किसी हिस्से में जमीन दी गयी और आज वे किस प्रकार अपना और अपने बच्चों का पालन कर रहे हैं। उन में से बहुत से आज बेकार हैं और रिक्शा चला कर अपना और अपने बच्चों का पालन पोषण कर रहे हैं। यह कोई अच्छी योजना नहीं हो सकती कि कुछ गरीब लोगों की जमीन छीन कर उन को बेकार कर दिया जाये और उन की जमीन दूसरों को देश की उन्नति के लिये दे दी जाये। मैं आशा करता हूं कि

[श्री बजराज सिंह]

सरकार समय रहते चेतेगी और इस बिल में ऐसा संशोधन करेगी कि जिस से यह किसान की बरबादी का कारण न बने।

15 hrs.

Shri Tyagi (Dehra Dun): Sir, I have nothing to oppose in this Bill. I think it is well-intentioned. But, Some somehow or other, I have not been able to reconcile myself to the language—whether that language really represents our views. Since I am a layman it may be I am wrong. But I always believe in expressing myself because since my boyhood I have learnt a good lot from wise men. They have a weakness to correct any fault committed. If you express yourself as you feel, and if it is wrong, wise men will always put you on the right track. It is from that point of view I am approaching the hon. Minister to correct me if I am wrong.

We have had the pleasure or pride of enacting the first Zamindari Abolition Act in the U. P. during the British days. Since then I have been interesting myself in the problem of tenancy and the landlords and the zamindars. We had also given exemption to the categories like the widows, minors and those who are in the service of the Army or such other incapacitated people. We did something positive to them.

As I read the Bill, the meaning is that during the course of the disability, the zamindar or the owner does no get any benefit except that he can go on getting the rent. It is only after the disability is removed, or over, that, he can eject the tenant. That is what I felt. I thought, perhaps, the tenant was insecure only so long as the disability continued, so that during that period the tenant could be ejected. But, after that period is over and the minor has become a major—you are giving two years' further period beyond he could not get the benefit. The benefit could rightly accrue only during the course of the disability of the person.

During the course of the disability the person is disabled to manage. So, somebody, his cousin or somebody who is not entitled to the land looks after the disabled person's interests. After all even disabled persons have somebody to look after them in this world yet. Things have not yet come to such a pass when there is no person to look after them. They have some cousin or distant relation to look after them and their interests. So, during the course of the minority his guardian or somebody must have the benefit of ejecting the tenant or building a house, or do something for the minor. I can understand that. During the period when the wife is left alone while the husband has joined the Army, the wife must have the benefit of the law so that she may do what she wants to do. But after a man has returned from the Army there is no logic in giving that benefit. The words are that proceedings for ejectment can be instituted within two years from the date when he ceases or has ceased to be a person under disability. Only within those two years and not during the disability. This is something which I cannot understand, unless the meaning is something different. The Law Ministry or the Home Ministry are having all types of ideas, and it is sometimes difficult to follow them. They are going at a high speed towards socialism. I do not know any kind of socialist meaning other than the literal meaning, the meaning as it is known in society. People also go on defining the meaning. Ordinary people like me understand the meaning of 'within 2 years' to be beginning from that date. That means to say taking it from the date on which the disability ended. Then only ejectment can take place. When the man becomes a maor or free from the disability, immediately, the tenant comes under danger; not during the days when the man was disabled.

There is another point which may not be well appreciated by lawyers.

They give some different interpretation. But a widow deserves consideration and mercy in Indian society, in Hindu society and practically everywhere. Poor lady is left alone and she deserved to get the benefit during here widowhood. But, you say, 'No, she can get the benefit only after her disability ends. If she re-marries then only she can eject a tenant and not during her widowhood. After she re-marries, and she is happy with a good husband, and she has left that widowhood, within two years from that date—during her marriage days of enjoyment—she can eject the tenant.

Mr. Deputy-Speaker: The widow rented that portion of land because she could not cultivate it herself. According to the hon. Member, now she has got a good husband who can look after the land, therefore she wants the land. She may get it cultivated through her husband.

Shri Tyagi: So my hon. friend, Shri Datar advises the widows not to remain widows but to get re-married so that they can eject the tenants and be happy. This is what the Government advises.

Mr. Deputy-Speaker: What would the hon. Member advise the old widows to do? He is himself a widower.

Shri Tyagi: I am myself a widower, Sir. (*Interruption*).

When we passed our Zamindari Abolition law we definitely said that no tenant shall get or obtain any hereditary rights or some such rights if the land is owned by a widow until she ceases to be a widow, that is until she re-marries. I would very much prefer something put in that very positive way. During the period the landlord or the zamindar is disabled, no rights shall accrue. I can understand that. But here you say the rights are there; during disability they have no right and the right starts only after the disability is over. You give two years also after that. This is something which I cannot understand.

There is some defect either in the ideas or in the language. I am not going to be convinced because a *fatwa* may be issued from the other side, the ministerial *fatwa*. My complaint is that Parliament is losing its glamour because the views of Parliament, howsoever reasonable they may be, are not respected because the Treasury Benches are now tending to respect the advice tendered from behind the curtain. They believe in curtain lectures and not lectures given in the House. That is my bother.

Let us look at the things. When the person is under a disability, when a person is a widow or minor and somebody is looking after them, their rights would accrue in that land and their rights should be secured till after 2 years after the removal of the disability. The whole period should be covered Even after attaining majority, if the person does not care, then the tenant gets the right. He too must be given protection. This is how I would like the Bill to go.

This is what occurred to me by a casual reading of the Bill. When one thing comes to my mind I cannot keep quiet; I must give expression to it. I think you can bettter judge this thing.

In the case of a widow, particularly, to give her the benefit or right of ejecting the tenant only after she re-marries is something very queer. This, society would not accept. The same is the case of a lady who is married and gets divorced. After divorce, within 2 years, she can get the right and not before. From this point of view, the language of the Bill should be examined.

Now, the hon. Minister is consulting. It seems now that my point has some sense because . .

Mr. Deputy-Speaker: It could not be otherwise.

Pandit K. C. Sharma (Hapur): He is seriously taking note of it.

Shri Tyagi: Another point which I want to know is this. Do Government also undertake to give sufficient compensation to the tenants when they acquire lands, cannot we be just and fair to them? That is the problem. As far as Government coffers are concerned, we try to be stingy; but we are spendthrifts otherwise. It is my personal experience that the Government is wasting money in many ways but in the matter of giving compensation which is a rightfully due for the lands which belonged to the people who have been cultivating it for centuries, they will try to show off as if they are very economical and they will say that this must be examined thoroughly and judicial proceedings must go on. They cannot afford to be liberal with these people because these villagers have not yet fully justified their citizenship by coming forward to force the hands of the Government. I do not know whether the villagers will have any salvation until they exert their influence on the Government. My feeling is that the villages and the villagers are getting neglected. Their lands are acquired for any project or for some other good purpose or even for *mahfil* or *tamasha Bhawans* or *ajaibghar* or luxury buildings. But they are not given their rightful compensation. But in the case of many buildings hired or requisitioned, huge amounts are given to urban people. Things are coming to a pass where, my fears are, the urban people are like the Roman citizens of the olden days and the villagers are rustics, as if they have no rights of citizenship because they cannot agitate or make their influence felt as effectively as the urban people do. By our neglect of the villagers, we are indirectly asking them to organise and agitate for their rights. Then only they shall be heard. That seems to be the position. My hon. friend, the Home Minister who is here, is very generous towards the hon. Members of Parliament. I must say this.

Shri Datar: You may directly ask your question without this preface.

Shri Tyagi: My question is whether the Government is going to acquire quite a lot of land in due course and whether it has acquired some. Will the Government see to it that the compensation or benefits proposed to be given to the ryots, etc. which are guaranteed under the hands of the proprietors of the land will continue to be given to the tenants when the ownership is changed over from the landlord to the Government? When the lands are acquired, will the Government be prepared to give to the tenants the same amount of compensation or benefits as they desired the zamindars to give. .... (*Interruptions*). The same land may be acquired by the Government for some charitable purpose or some State buildings or mansions or palaces. I remember a story in the old Persian history. A king wanted to build a palace. But there was a small hut in the neighbourhood which belonged to a poor lady. The palace could not be built because that lady protested. The king did not touch that hut, although it looks odd that in the neighbourhood of a palace there should be a small dirty hut. Even that dirty hut was allowed to remain until that lady remained there. These are the days of progress and socialism. The huts could be demolished and lands could be taken. But will the Government see to it that the poor girl or the poor youngman whosoever it is who lives in the hut is given proper compensation? Or shall he or she go without any care because the land belonged to a landlord and the landlord has been given compensation and so the tenant may go to dogs? Will that be the attitude? I, therefore, want to emphasise that point. In case the same very land of the neighbourhood is acquired for Government purposes or for any other purpose, Government must undertake to look to the rights and privileges of the tenants on that land in the same manner as they were

guaranteed in the hands of the zamindars.

Mr. Deputy-Speaker: Shri Radha Raman. There are a large number of hon. Members who want to participate and so I will request the hon. Members to be as brief as possible.

Shri Radha Raman (Chandni Chowk): Sir, I shall limit myself to a few points I have in my mind.

उपाध्यक्ष महोदय, जो विधेयक इस सदन में रखा गया है, उस की पृष्ठभूमि में और इस सम्बन्ध में यहां पर जो स्थिति रही है, उस को दृष्टि में रख कर उस के अलग-अलग भागों को देखने की आवश्यकता है। इस में सन्देह नहीं कि यह बिल हर प्रकार से मुकम्मल नहीं कहा जा सकता और हमारे कई माननीय मित्रों ने इस बारे में जो कुछ सुझाव रखे हैं, उन में कुछ ऐसे हैं जो मानने लायक हो सकते हैं और उन को माना जा सकता है। लेकिन यहां पर जो स्थिति रही है, उस को सामने रखते हुए हमें इस को देखना चाहिये।

सम्भवतः माननीय सदस्यों को इस बात का परिचय होगा कि दिल्ली में गांवों की जमीनों को बहुत तेजी के साथ अरबनाइज्ड किया गया। एक वक्त था कि सैकड़ों एकड़ नहीं बल्कि हजारों एकड़ जमीन को सिर्फ एक कलम से रूरल एरिया से—देहाती जमीन से शहरी जमीन बना दिया गया। शहरी जमीन पर कोई ऐसा कानून नहीं लागू होता था जिससे किसी टेनांट को किसी किस्म का रिलीफ मिल सके या निकाला न जा सके। इस का नतीजा यह हुआ, जैसा कि आज इस सदन में कहा जा रहा है, कि हजारों किसानों को अपनी जमीनों से वंचित होना पड़ा और उस का फायदा किसानों को न मिल कर लैंडलार्डस को मिला और लैंडलार्डस से ज्यादा उन लोगों ने फायदा उठाया, जो कि शहरी आबादी को बढ़ता हुआ देख कर किसानों से हल्के दामों पर जमीन खरीदते थे और उस का सौ गुना रुपया हासिल कर मालदार बन जाते थे। बहरहाल वह कानून जहां लागू हुआ और उस के जरिये से वे सब किसान या काश्तकार या गरीब लोग हल्के हल्के उस तमाम जमीन से बेदखल हो गये जिस पर खेती कर के वे थोड़ा बहुत कमा लेते थे। यह सब १९५३ और १९५६ के बीच में हुआ। जब ऐसे बहुत सारे गांवों के क्षेत्र शहरी क्षेत्र बन गये और आपा-धापी से किसानों को बेदखल होते देखा गया, तो बहुत सारे किसानों ने अपनी सरकार, लोगों और अपने नुमाइंदों के सामने यह विचार रखा कि उनके प्रति यह जो अहितकर काम किया जा रहा था, उस को हल्के-हल्के खत्म किया जाये। उन्हीं लोगों की कुछ थोड़ीसी रियायत देने और उन की तकलीफों को दूर करने के लिये ही यह कानून लाया गया है।

इस बारे में इस बात का ध्यान रखना चाहिये कि दिल्ली के आस-पास हल्के-हल्के यह तमाम जमीन, जो कि देहाती है, शहरियों के रहने की या शहरियों के कब्जे में आती जाती है। इन जमीनों को उस जमाने में म्युनिसिपैलिटीज या लोकल बाडीज के मातहत कर के उन तमाम कानूनों से बरी कर दिया गया था, जिन से किसानों या काश्तकारों को आराम मिलता था। इस कानून में इन जमीनों को उन लोगों को फिर से रेस्टोर करने, उन को कुछ आराम पहुंचाने या रियायत देने का ख्याल किया गया है। यह बात सही है कि अब दिल्ली के आस-पास बहुत कम लोग ऐसे रह गये हैं, जिन के पास कुछ बड़ी जमीन हों। यानी ऐसे किसान अब बहुत कम हैं, जिन के पास सौ, दो सौ, पांच सौ या एक हजार एकड़ जमीन हो। छोटे-छोटे किसान बहुत ज्यादा हैं। म्युनिसिपलिटीज के मातहत होने की वजह से उन लोगों को अपनी जमीनों से बेदखल किया जा रहा था। इस कानून के जरिये सरकार ने उन लोगों को इस बात का संरक्षण दिया है कि अगर वे लोग काश्त करते हैं, या किसी जमीन पर टेनांसी का हक रखते हैं, तो

[श्री राधारमण]

बावजूद इस के कि वे जमीनें शहरी इलाकों में आ गई हैं, उन को बेदखल करने का अख्तियार उन मालिकान को नहीं है, जो पहले कानून के मातहत उन को बेदखल कर सकते थे ।

इस बिल में जो बातें रखी गई हैं, उन में दो मोटी-मोटी बातों की तरफ हम को ध्यान रखना चाहिये । एक बात तो यह है कि जो लोग बराबर अपना लगान नहीं दे सके हैं और जिन का बहुत कुछ लगान बाकी रह गया है तो, बावजूद इस बात के कि उन को इस कानून में रियायत दी गई है, लगान बाकी रहने की वजह से बेदखल किया जा सकता है । इसमें कुछ शिकायत इस किस्म की रहती है कि बहुत से काश्तकार जो ऐसे हैं कि गरीब हैं, जिन के पास बहुत थोड़ी जमीन है और वे उसको काश्त करके ही अपना तथा अपने परिवार का गुजारा चलाते हैं, उनको स्पेसे-फिक टर्म मेनशन न होने की वजह से बेदखली का सामना करना पड़ सकता है । इसमें यह लिखा है कि कोई किसान या कोई काश्तकार अगर कुछ अर्से तक रुपया नहीं देगा और उसकी जो रकम है जो उसे दूसरे को देनी है वह बाकी रहती जाएगी तो उसे बेदखल किया जा सकता है । कितने पीरियड की रकम वह अदा नहीं करेगा, यह स्पेसे फाइ नहीं किया गया है । इस कानून में यह नहीं है कि कितनी देर तक वह एरियर में रखेगा तब उस को बेदखल किया जा सकता है । मैं चाहता हूं कि इसके बारे में सफाई हो जानी चाहिये और माननीय मन्त्री जी को बतलाना चाहिये कि एक साल या दो साल या तीन साल की रकम अगर उस पर बाकी होगी तब उसको बेदखल किया जा सकेगा या फिर थोड़े से अर्से यानी छह महीने या साल भर का एरियार होने से भी वह बेदखल हो सकता है । अगर इस चीज की सफाई नहीं की जाती है तो काफी ऐसे मालिकान होंगे जो कि इससे फायदा उठा लेंगे । इस वास्ते मैं चाहता हूं कि मन्त्री महोदय सफाई कर दें ।

इस कानून में यह भी साफ कहा गया है कि सैंट्रल गवर्नमेंट जो जमीन एक्वायर करेगी या लेना चाहेगी उसपर चाहे काश्तकार हो या किसान हो या वह जमीन किसी भी हालत में हो, यह कानून लागू नहीं होगा । हमने जब पहले इस मसले पर विचार किया था तब भी कहा था कि यह कोई बहुत अच्छी बात नहीं है कि यह इस तरह की चीजों का ध्यान न रखे । हम आज तक मालिकान को इस बात का दोष देते आए हैं कि वे किसानों की बहुत सस्ते में जमीन लेते हैं और सस्ते में जमीन ले करके बहुत सा रुपया बनाते हैं । जब हम उनको इस तरह के दोष देते हैं तो मैं चाहता हूं कि सरकार को कोई ऐसा आदर्श लोगों के सामने रखना चाहिये कि वह किसी के साथ किसी तरह की भी ज्यादती नहीं करती है और हमें इस स्थिति में होना चाहिये कि हम मालिकान को यह कह सकें कि सरकार एक नमूने के तौर पर काम करती है और उसी के मुताबिक मालिकान को भी चलना चाहिये । इस कानून से सरकार बिल्कुल बच जाती है । अभी माननीय सदस्यों ने जिक्र किया कि सरकार का दिल्ली में ३४,००० एकड़ जमीन लेने का ख्याल है और उस जमीन का वह कम्पेसेशन भी देगी । अब देखना यह है कि वह कम्पेन्सेशन किन लोगों को मिलेगा ? क्या उस कम्पेंसेशन में काश्तकार भी हिस्सेदार होंगे या कि वह कम्पेंसेशन उन्हीं को मिल जाएगा जिन्होंने कि अपने खाते पर उन जमीनों को चढ़वा रखा है और जो अपने आप को उनका मालिक समझते हैं । हमें फैसला करना होगा कि इस कम्पसेशन में किन-किन लोगों का हिस्सा होगा ।

साथ ही हमें यह भी देखना होगा कि जो कम्पेंसेशन मिले वह सही मिले । मार्किट रेट भी वह मार्किट रेट हो जो एट दी टाइम आफ पेमेंट प्रिवेल करता हो । आज होता यह है कि आप नोटिफिकेशन तो इसू कर देते हैं

और छः आठ बरस तक आप उसको सस्पेंस में रखते हैं और उस बीच में काश्तकार को हमेशा ही सूली पर चढ़ाये रखते हैं, न वह उस जमीन में कुछ बेहतरी कर सकता है और न ही ज्यादा पैदावार कर सकता है और न ही उस जमीन पर कुछ खर्च कर सकता है। इसका नतीजा यह होता है कि पैदावार घटती है जो आप चाहते हैं कि बढ़े उसको एक तरह से सस्पेंस में रहना पड़ता है। जो कम्पेसेशन आप देते है उसका भी कोई न कोई ऐसा तरीका होना चाहिये कि वह रुपया मालिक और काश्तकार दोनों में डिवाइड हो। वह रुपया उस मालिक में जिसकी जमीन हो और उस काश्तकार में जो उस पर काश्त करता रहा है और जिसकी मेहनत की वजह से उसकी कीमत बढ़ी है और जिसकी वजह से मालिक काफी कीमत ले सका है, डिवाइड किया जाना चाहिये। अभी त्यागी जी तथा दूसरे माननीय सदस्यों ने कहा है कि अगर आप कम्पेसेशन देते हैं तो उसके बारे में कानून आप ऐसा बनाते हैं, ऐसा डिफेक्टिव बनाते हैं कि सच्चे मानों में काश्तकार को कोई फायदा नहीं पहुंचता है और न सिर्फ उसको कोई फायदा नहीं पहुंचता बल्कि यह उसी तरह से पिसता है जिस तरह से जमीन के मालिक के नीचे वह पहले पिसा करता था। हम मालिक को इल्जाम देते हैं कि वह उसको हमेशा चूसता रहता है, उसका शोषण करता रहता है और इस शोषण को बन्द करने के लिये हम कानून बनाते हैं लेकिन कानून बन जाने के बाद भी चूंकि वह डिफेक्टिव होता है, वह पिसता ही चला जाता है और उसको कोई फायदा नहीं पहुंचता है। मैं अर्ज करना चाहता हूं कि जो आप कम्पेंसेशन दें वह उस रेट से न दें जिस दिन कि आप एनाउन्समेंट करते हैं बल्कि उस रेट से दें जो रेट कि पेमेंट करते वक्त प्रिवेल करता हो दिल्ली में ऐसी भी जमीन है जिसके बारे में एक्विजिशन नोटिस को हुए हुए पचास-पचास बरस हो चुके हैं और इन पचास बरसों में न तो उन जमीनों को एक्वायर किया गया है और न ही उनका कोई कम्पेंसेशन दिया गया है और इसका नतीजा यह है कि किसान लोग और दूसरे लोग परेशान हैं। अब उस जमीन पर मान लो कि किसी आदमी ने मकान बना लिया है, तो वह भी परेशान है क्योंकि उसे अपने फ्यूचर का पता नहीं है। सरकार को घोषणा करनी चाहिये कि एक्विजिशन का अगर कोई नोटिफिकेशन आज निकलता है तो इसके एक साल के अन्दर-अन्दर या तो वह जमीन ले ले और अगर साल में नहीं लेती है तो जो काश्तकार है, उसके जो राइट्स हैं उनको पूरी तरह से कायम रखे, और वह चाहे उस पर खेती करे या जिस तरह से भी चाहे उसका इस्तमाल करे। जब इतने लम्बे-लम्बे अर्से तक एक्विजिशन नोटिस पड़े रहते हैं, न इधर फैसला होता है और न उधर फैसला होता है तो इसको मुनासिब बात नहीं कहा जा सकता है। इससे किसानों को तथा दूसरे लोगों को बहुत तकलीफ का सामना करना पड़ता है।

दूसरी बात यह है कि कम्पेन्सेशन दें तो न सिर्फ उसमें आप मालिक को शामिल करें या उसको दें जो उस पर अपनी मिलकियत दिखलाता है बल्कि काश्तकार को भी करें और उन दोनों के बीच उसको बांटें। ऐसा कानून अगर कोई नहीं है तो कम से कम इसके अन्दर उस बात की सफाई हो जानी चाहिये। इस कानून के अन्दर कुछ न कुछ इस तरह का प्राविजन जरूर होना चाहिये। आज से बीस साल पहले एक किसान ने एक खेत को जिसके अन्दर उस वक्त कुछ पैदावार नहीं होती थी अपने हड्डे गुड्डे लगा कर पैदावार करनी शुरू कर दी और आज उसमें से एक हजार या दो हजार आमदनी होने लग गई है तो आज अगर उसको किसी न किसी वजह से बेदखल किया जाता है, या सरकार खुद करती है या मालिक खुद करता

[श्री राधा रमण]

है, तो जो सारी उसकी करी कराई मेहनत है वह मालिक ले जाता है या सरकार उसका फायदा उठा लेती है और यह गरीब आदमी उसी तरह से परेशान रहता है जैसा पहले था। इस वास्ते उस के बारे में सरकार को जरूर कुछ सोचना चाहिये और अगर कम्पेंसेशन में उसका हिस्सा रख दिया गया तो उसकी बहुत कुछ तकलीफ कम हो सकती है।

अभी त्यागी जी ने डिसेविलिटी के बारे में कुछ कहा है। मुझे कुछ ज्यादा इसके बारे में सन्देह नहीं है। धारा ३(बी) में इसका जिक्र किया गया है।

"The landlord was present under a disability at the commencement of the vacancy. At that time he was disabled. Then, after two years of his becoming able, he can be ejected or he forfeits the right or the privilege that was given to him or her at the time of the commencement."

इसके अन्दर कोई चीज उनकी समझ में आती है तो मेरी निगाह में यह बहुत सही नहीं है। क्योंकि साफ जाहिर है कि अगर कोई डिसएबल्ड परसन है उस वक्त, एट दी टाइम आफ कमेंसमेंट और जब यह दो बरस के बाद एबल हो जाता है तो उसका दो साल के अन्दर इजेक्टमेंट हो सकता है या उसको जो राइट मिले थे उनसे वह वंचित किया जा सकता है, लेकिन उससे पहले नहीं।

यह जो कानून आप के सामने है इसके बारे में एक बात यह समझ लेनी चाहिये कि दिल्ली के बहुत से इलाके जो रूरल थे व सिर्फ एक कलम से, सरकार के नोटिफिकेशन से, हजारों एकड़ों की तादाद में अर्बन कर दिय गय और अर्बन और रूरल के बारे में कानून के अन्दर इतनी डिसपरिटी थी कि कोई रूरल एरिया अगर अर्बन एरिया बन जाता था तो उस पर कोई हक काश्तकार का नहीं रह जाता था और यह शुरू से आखिर तक हर चीज से वंचित हो जाता था। जब फिर से बहैसियत एक रूरल एरिया के उनकी तकलीफों को समझ करके, आप दूर करना चाहते हैं, तो यह एक अच्छी बात है। बहुत से लोगों ने दरम्याने पीरियड के अन्दर काश्तकारों को कानून के मुताबिक बेदखल कर दिया है और उनको फिर से उन जमीनों को दिलाना बड़ा मुश्किल होगा क्योंकि हालात बदल चुके हैं, शक्ल बदल चुकी है और व जगहें कई कई हाथों में से गुजर चुकी हैं लेकिन अब भी जो बाकी हैं और जो अर्बन एरिया होने की वजह से डिसएडवांटेज और डिसएबिलिटी फील करते हैं, इस कानून से लिमिटिड सेंस में उनको फायदा मिलता है, उनकी वही शक्ल हो जाती है जो लैण्ड रिफार्म के अन्दर रूरल एरिया के किसान को या रूरल एरिया के अन्दर खेतीहर को प्रदान की गई है।

मैं इस बिल को एक मुबारिक बिल मानता हूं। इसमें कुछ त्रुटियां हो सकती हैं जिन को बाद में भी दूर किया जा सकता है। लेकिन एक बात जरूर है कि हमें उस पर्सपेक्टिव में देखना चाहिय जबकि यहां पर एक कानून लागू करके बहुत से खेतीहरों को बेदखल करने की सूरत मालिकान को दे दी गई थीं और उनसे हमें बचना चाहिय और उनको उसी लेवल पर ले आया जाना चाहिये जिस लेवल के ऊपर आज रूरल एरिया के किसान हैं। मैं समझता हूं कि इस बिल का इतना ही मकसदन है और इसमें जो त्रुटियां होंगी या जो त्रुटियां चन्द साल के अमल के बाद नजर में आयेंगी, उनको दूर करने के लिये एमेंडमेंटस लाये जा सकते हैं।

Shri Ranga (Tenali): Mr. Deputy-Speaker, Sir, I am generally in agreement with the objects of this Bill. It is proper that Parliament should take

equal interest in the claims of the small landholders as well as their tenants. The tenants should be assured of security of tenure as well as reasonable scale of rents. I am glad that this Bill makes also one other distinction between tenancy in rural areas and tenancy in urban areas. This Bill deals naturally with tenants in urban areas. Therefore, so far as security of tenure is concerned, no time-limit is fixed and the tenants are assured of permanency of tenancy as it were subject to certain conditions. Clause 3 indicates the four conditions under which alone a tenant may be ejected. These deserve very careful consideration.

As my friend to my right had already drawn the attention of the Minister, I would certainly be glad if the Minister would give a little more consideration to clause 3(1)(a). You were good enough to draw the attention of the House to the fact that it should be open to the tenant to pay the rents long before the landlord is obliged to go to the courts or at least after he had gone to the courts and obtained a decree. After having obtained the decree, why should not the landlord be entitled, according to your suggestion, to reclaim the use of the land, when the arrears are not paid? The question raised by my hon. friend to my right was, why should not the landlord as well as the Government and the court first try to collect these arrears—the decree amount—from all other properties that the tenant would be having and only for the balance try to proceed against the land that is being cultivated by the tenant? If by any chance, the decree amount could be collected from out of other properties—especially moveable properties—why not that effort be made first before trying to recapture the ownership and the use of the land? That is the point that has been raised. I would like the Minister to give due consideration to that point.

I am not in agreement with my hon. friend who said that you are creating a new system of landlordism. There is no such thing as landlordism, because there is the question of what is known as the scale. We have done away with the old system of landlords—*jagirdars; talukdars;* etc. These are small people who would be owning land below the ceiling limit. If for some reason some people find it profitable and are obliged to lease out the lands to the tenants, we should not straightaway pounce on them saying that they are capitalists, exploiters and landlords and therefore, they should be completely dispossessed of their lands. That would not be proper. Especially in urban areas, those people who have got lands can use them as a kind of security and it would be possible for them to raise some capital and get into various businesses, start small industries and find employment in the towns, and in that way look after themselves. At the same time, they can lease out the land to the tenants. By leasing out their land to the tenants, we should not think that they are trying to exploit them. On the other hand, instead of trying to keep two strings to their bow and preventing the tenants from having the opportunity of becoming self-employed peasants finding employment on those lands, they can easily be treated as doing a favour and a nice thing indeed to the tenants by enabling them to find employment on the lands as self-respecting tenants. Therefore, I do not think it is proper to call these people landlords, giving them a bad name and afterwards saying that they should be completely dispossessed.

Then, there is the other question. If these tenants are to enjoy permanency of tenure and security on these lands, under what circumstances can they be evicted? Four of these circumstances are enumerated in clause 3. In addition to that, an exception is sought to be made in the case of disabled people. I speak subject to correction—I understand that according to this Bill, these disabled people would be entitled to ask their tenants to give up their lands in order to enable the landowners to build their own dwelling houses, cattlesheds, small business

[Shri Ranga]

premises, etc. either for themselves or for any member of their family. Is the net spread far and wide? No; because family is defined here in this Bill. It means:

> "(i) in relation to a person belonging to a joint Hindu family, every member of such family; and
>
> (ii) in relation to any other person, the person, the wife or husband, as the case may be, and the dependent children and grandchildren of such person."

Only upto that: Any of these people may think of building a dwelling house, a cattle-shed or business premises on this particular site. They can enjoy this privilege up to a time-limit; they can enjoy it not longer than two years after the disability is over. Thereafter it would not be possible for them to evict the tenants. Until then, they would have the right to build any of these things. Therefore, it would not be necessary for a widow to remarry in order to come back into possession of the land.

15.38 hrs.

[DR. SUSHILA NAYAR *in the Chair*]

Shri Tyagi: Let the Minister say so. Can she during the course of her widowhood eject the tenants from the land? Suppose somebody leaves two or three small children and the uncle of the children wants to invest some money in a building on the land, so that their tuition fees and other expenditure on education may be met out of it. It cannot be done unless the children are adults and after two years, when they become majors. Then only their scholarship will be guaranteed.

Shri Ranga: I am in agreement with Shri Tyagi that a widow should be entitled to do these things while she continues to be a widow, because she happens to be a disabled person. She ceases to be a disabled person only when she gets married. What is more, she can enjoy this privilege of disablement only up to two years after having got rid of her disablement, that means, after having got a new husband. Until then, according to me—I have already said I am speaking subject to correction—she would be entitled to evict the tenant and get back her land, build a dwelling house, cattle-shed or business premises. I would like the Home Minister to give some consideration to our interpretation—the fear expressed by Shri Tyagi and the kind of assurance I am inclined to feel about it. But nevertheless, our objective is one and the same. We want to help the widow to enjoy her privilege and right.

Shri Tyagi: Why not make the language quite clear?

Shri Ranga: It is for them to do. We want the widow to be protected. We want her to go back to her own land when she continues to be a widow, whenever she feels like that for any of the purposes that are stated here. That is all. If my hon. friend, the Home Minister, is willing to redraft it in a more explicit fashion, we would only be too happy.

I want special attention to be paid by the House to one very important consideration. Why are we so particular about the tenancy legislation? Why are we particular that our tenants should enjoy the security of tenure? It is a matter of employment for them. Their employment is differernt from the usual employment that we find in the shops and factories under her employers. Here it is their own employment which they find on the land through their own efforts and, therefore, we want to ensure the continuity of this employment. As far as possible, we would like them to be made permanent and it is because of this that we want to limit the right of the land-owners, as far as it is possible. If the land-owners are themselves willing to cultivate their lands for employment thereunder and remain

independent agricultural producers, well and good, and all credit to them. But if they would like to go to some other employment and lease out the lands to the tenants, then we would like all the attention of the State to be diverted in favour of the tenants so that they would feel themselves completely secure in the enjoyment of the self-employment that they find in the lands.

Then, I would like the House to give some consideration to the other point raised by our two hon. friends, Shri Tyagi and Shri Radha Raman, and that is the question of compensation. This legislation is with regard to urban areas, where the land values are going up. So, there is always temptation for the land-owner to sell his land, and there is nothing wrong in it. But when they have an opportunity of getting some benefit from out of the rising land values, should it go only and solely to the land-owners or should a portion of it be diverted to the tenants also? Because, if you look into clause 6, in regard to rent the tenants are expected to get four-fifths of the agricultural produce, because of the trouble they have taken. It need not be as much as that in rural areas but it has to be as much as this in urban areas. Because, naturally, here the standard of living is higher and the costs of cultivation are higher. Naturally, the temptation for the tenants to leave the land and go to the town is much greater. Therefore, it is necessary that we give every possibly inducement to the tenant to stick to the land and cultivate it. So, there is nothing wrong in allowing them as much as four-fifths of the agricultural produce for their own labours. When so much consideration is shown for their contribution, should not the same consideration also be given when it comes to the distribution of the payment of compensation between the land-owners and the tenants? Suppose the compensation sought to be paid is Rs. 10,000 per acre. Would it not be a just proposition or suggestion that the land-owner might be given Rs. 2,000 and the tenant Rs. 8,000? It should be distributed in some such way, and there should be provision for that. Of course, there is no provision in this particular Bill for that, because this does not deal with sales at all. At the same time, I would like the Home Minister to keep this consideration in mind and come forward with suitable legislative proposals because there is greater urgency in the matter as there is greater and greater temptation for the land-owners to sell their lands as soon as possible and cash in the rise in land values. Before they run away with all the benefits of the rise in land values, leaving nothing at all to the poor tenants, I would like necessary legislation to be brought forward in this House to prevent that.

In conclusion, I would like to say that there is nothing in this Bill to prevent a land-owner from selling his land to the detriment of the self-employment of the actual cultivator. So, something has got to be done in order to assure the tenants either some compensation, or continuity of self-employment through the cultivation of the land, so that the land-owners will not be obliged to think in terms of selling their lands.

Mr. Chairman: I have got names of five more hon. Members who wish to speak on this Bill. We will require half an hour for the clauses and the Bill has to be over by 5 O'clock. May I know how long the hon. Minister will take?

Shri Datar: I shall take about twenty minutes.

Mr. Chairman: That means we are left with 25 minutes for the general discussion.

Shri Braj Raj Singh: Why should it be finished by 5 O'Clock? We have saved some time in the Income-tax Bill. So, we can increase the time here.

Mr. Chairman: According to the time that has been allotted at present, it should be over by 5 O'Clock. If

[Mr. Chairman]

the time has to be extended, that is a different matter. But we are towards the fag end of the session. So, whether it is possible to extend the time, that will also have to be considered. Now Shri Naval Prabhakar.

श्री नवल प्रभाकर (बाह्य दिल्ली-रक्षित-अनुसूचित जातियां) : सभानेत्री जी, यह जो बिल आया है इसकी कहानी पुरानी है और इसने कई रूप बदले हैं । अगर दो शब्दों में कहा जाए तो यह कहना कठिन होगा कि यह एक सुखद स्वप्न है ।

इसके लिए दिल्ली राज्य सरकार ने एक कमेटी बनाई थी और उस कमेटी ने अपनी कुछ सिफ़ारिश कीं और उनके आधार पर भूमि सुधार कानून बना । जब दिल्ली विधान सभा थी उस समय उसमें यह भूमि सुधार कानून बना । आज जिस क्षेत्र के लिए यह बिल लाया गया है, उस बिल में यह क्षेत्र भी आ जाता था । और उस समय लोगों को बड़ी प्रसन्नता थी कि हम भूमिधर बन जायेंगे और सबको खुशी थी । किन्तु विधान सभा की समाप्ति के बाद उनका वह सुख स्वप्न भी समाप्त हो गया । एक छोटा सा बिल लाया गया और उसमें कहा गया कि विकास के नाम पर यह भूमि विकास के लिए होगी और यह शहरी क्षेत्र के अन्दर आ गई है, इसलिए इस पर यह कानून लागू होगा, और यह लोग जो कि महान प्रसन्नता जाहिर कर रहे थे उनको फिर दुःख हो गया ।

उसके बाद बार बार सरकार को लिखा गया । सरकार ने पहली किस्त के रूप में यहीं पार्लियामेंट के अन्दर १५ गांवों को फिर छूट दे दी और उनको अधिकार दे दिया कि वे भूमिधर बन सकेंगे । अब यह दूसरी किस्त आई है जिसमें कहा गया है कि उनको कुछ सहायता दी जाएगी । जो पहला बिल आया था यह अपने में सम्पूर्ण बिल था । अब आज यह बिल आया है । मैं मानता हूं कि इसके कारण आज जो अवस्था है उसमें कुछ न कुछ सुधार जरूर होगा किन्तु एक ही साथ तीन तरह की बात कही गई हैं जो कि कुछ उचित और उपयुक्त नहीं मालूम होतीं दिल्ली में ३६० गांव थे उनमें से ५० या ५५ गांव इसमें आ गये हैं । बाकी जो गांव थे उन सब गांवों के लिए एक तरह का कानून बनाया गया और उनको पूर्ण अधिकार दिया गया और कहा गया कि जो काश्तकार हैं उनको पूरा अधिकार मिलेगा और यह अधिकार दिया गया और उनको भूमिधरी के सारे अधिकार दे दिए गए । भूमिधर का उनको सर्टिफिकेट मिल गया । यह सब कुछ हुआ । उसके बाद १५ गांवों को भी उसी तरीके से फिर अधिकार प्रदान कर दिये गये । अब वह जो गांव शहर में आ गये उनके लिए कहा कि तुमको कुछ रिलीफ हम देना चाहते है । यह रिलीफ मेरी समझ में नहीं आया । यह ठीक ऐसी ही बात है कि अब सरकार जगह एक्वायर कर रही है । उसका अधिग्रहण करेगी । अब अधिग्रहण करने के बाद उस काश्तकार की क्या अवस्था होगी इसकी आप कल्पना कर लीजिये । मान लीजिये कि इस विधेयक के अनुसार हम उनको जमीन दे देते हैं । उस जमीन को काश्त करने की इजाजत दे देते हैं । यह सही है कि उसको इजाजत तो दे दी । उसके बाद जो लैंडलौर्ड है जो जमीन का मालिक है वह क्या करेगा ? यह पूरा प्रयत्न करेगा, अधिकारियों से मिलेगा और खुद कहेगा कि यहां पर आप जमीन एक्वायर कर लीजिये । जमीन एक्वायर की गई तो उस हालत में काश्तकार की क्या अवस्था होगी यह मैं माननीय मंत्री से जानना चाहता हूं और मैं चाहता हूं कि काश्तकार की क्या अवस्था होगी उसकी उस दशा का वर्णन करे । यह ठीक है कि जैसे एक आदमी स्वप्न

देखता है, स्वप्न में वह राजा बन जाता है या और कुछ सुखद स्वप्न वह देखता है तो उस वक्त तो वह बहुत खुश होता है लेकिन जब उसकी आंख खुलती है तो वह अपनी उसी चारपाई पर पड़ा नजर आता है । आज वही हालत इन काश्तकारों की होने वाली है । जो जमीन एक्वायर की जायेगी वह जब इन सारे क्लाजेज के मातहत छीन ली जायगी तब उसकी क्या अवस्था बनेगी ? इसमें कोई इस तरीके का प्रबन्ध नहीं है कोई ऐसा प्राविजन नहीं किया गया है कि उस के बाद भी उसको कुछ मिल सकेगा ।

हमारे यहां दिल्ली में दो तरह के काश्तकार हैं । एक मौरूसी काश्तकार है और दूसरे मामली काश्तकार । अब जो मौरूसी काश्तकार हैं उनकी जमीन का जब सरकार अधिग्रहण करती है तो उसके बाद जो उनको मुआविजा देती है उसमें १० आने और ६ आने का अनुपात होता है । ६ आने मालिक को मिलते हैं और १० आने मौरूसी काश्तकार को मिलते हैं । लेकिन इसमें जिसको हम काश्तकार घोषित करने जा रहे है, वह काश्तकार जो कि सैंकड़ों वर्षों से चला आया है और उस जमीन के मोह और ममता में बंधा हुआ है, उसकी जमीन एक्वायर कर लेने की अवस्था में या जो जमीन का मालिक है उस के प्रपंच करने से उस जमीन को वापस ले लेता है, उस अवस्था में उस काश्तकार को कुछ नहीं मिलता है । मैं माननीय मंत्री से यह कहना चाहता हूं कि उस अवस्था में जब कि सरकार उस जमीन को ले तो ठीक उनको वही अख्तियारात मिलने चाहिएं जो कि आज दिल्ली के अन्दर मौरूसी काश्तकारों को मिलते हैं । अगर उसको वही मौरूसी काश्तकार के अधिकार नहीं मिलेंगे तो वह बेघर और बेदार हो जायेगा । उसके पास कोई काम नहीं होगा कोई धंधा नहीं होगा और वह दिल्ली प्रशासन के लिए बोझ होगा दिल्ली प्रशासन ही नहीं बल्कि सारी दिल्ली के लिए एक बोझ हो जायेगा । मेरा यह नम्र निवेदन है कि यह तो ठीक है कि विकास होता है और विकास होना चाहिए । दिल्ली बढ़ेगी इसको कोई रोक भी नहीं सकता है । मैं यह नहीं कहता कि दिल्ली के विकास को रोका जाए । दिल्ली बढ़ेगी । उसमें जो शहरी क्षेत्र घोषित कर दिये गये हैं उनका विकास होगा । वहां पर सड़कें होंगी और भी सब कुछ होगा । वहां पर बड़े बड़े महल खड़े हो जायेंगे और वह सब तो ठीक है लेकिन काश्तकार की हालत क्या होगी उसका अन्दाजा करना चाहिए ।

आज इन गांवों की क्या अवस्था है उसका कुछ वर्णन मैं करना चाहता हूं । आज इन गांवों की अवस्था यह है कि न तो इनको शहर गिना जाता है न ही इनको देहात गिना जाता है । शहरी सुविधायें उनको सुलभ नहीं हो पातीं और जो देहात के अधिकार हैं वे भी इनको नहीं मिले हुए हैं । आज हालत यह है कि गांव के पास से बिजली गुजर जाती है लेकिन गांव को बिजली नहीं मिलती है । गांव के पास से पानी का नल चला जाता है, वाटर लाइन पास हो जाती है लेकिन गांव पानी की सुविधा से वंचित रह जाता है ।

आज बिजली दो हिस्सों में बांटी गई है । शहर को बिजली दी जाएगी । और गांव को बिजली दी जायेगी । शहर में बिजली दी जाती है लेकिन शहर में बिजली देने का अपना एक अलग तरीका है । कहते हैं कि जहां विकास होगा वहां बिजली जायगी । ठीक है हर एक गांव में भी बिजली जायगी लेकिन जो गांव शहर में आ गये हैं उनको बिजली नहीं मिलेगी, पानी नहीं मिलेगा क्योंकि वह विकसित नहीं हैं वहां सड़कें नहीं हैं, वहां खुले हुए पार्क नहीं हैं और जो स्टैंडर्ड रखा है उसके अनुसार

[श्री नवल प्रभाकर]

विकसित नहीं हैं । इसलिए आज अगर सब से पिछड़ा हुआ इलाका है तो वह ये गांव हैं । अब हालत आज यह है कि जमीन जो एक्वायर की जाती है वह गांव के बिल्कुल जड़ में से एक्वायर की जाती है और होता वह है कि घर के पास से उसको निकलने को स्थान नहीं है । ऐसी हालत में बेचारे काश्तकारों को मजबूरन गांव छोड़ देना पड़ता है और थोड़े दिन बाद यह स्लम्स घोषित कर दिये जाते हैं । मेरे निर्वाचन-क्षेत्र में कई ऐसे गांव हैं जिनको कि आज गन्दी बस्तियां घोषित कर दिया गया है । इसके लिये मैंने बार बार अधिकारियों से कहा है और उनसे मिला हूं और कहा है कि आप जमीन एक्वायर कीजिये लेकिन इतनी जमीन छोड़ दीजिये कि यह अपने आप को अर्थात उस गांव को आपके सांचे-में ढाल सकें, विकसित कर सकें । लेकिन अधिकारी वर्ग है कि कोई सुनवाई नहीं करता । उनको तो बस जगह लेनी है और उनको यह खयाल नहीं है कि यह गांव वाले कहां जायें ? अब नई दिल्ली में बहुत सारे गांव थे जहां कि आज बड़ी बड़ी आलीशान इमारतें हैं । वे यहां से चले गये, खदेड़ दिये गये । आज उनकी सन्तानें हैं, कोई भैंस पालता है, बहुत सारे चपड़ासी यहां लगे हुए हैं और कुछ और हैं जिनको कि कोई धंधा नहीं है और बुरी हालत में हैं । यही अवस्था उन लोगों की होगी । मेरा यह नम्र निवेदन है कि आप कुछ इस तरीके का प्रबन्ध कीजिये कि जो जमीन ली जाय या किसी तरह से मालिक प्रपंच करके अगर उस जमीन को छुटवा लेता है तो उसके अन्दर उसका पूरा शेयर होना चाहिए, हिस्सा होना चाहिए ठीक इसी तरह से जैसे कि दिल्ली के अंदर मौरूसी काश्तकारों को मिलता है । जितना उनको मिलता है उतना इन काश्तकारों को भी मिलना चाहिए । मैं यह भी नहीं चाहता कि उसको पूरा स्वामित्व दे दिया जाय । अब दर-असल उचित तो है कि उसको पूरा स्वामी माना जाय । जिस तरह से कि आपने गांव में एक दूसरे आदमी को भूमिधर बनाया है उसी तरीके से पूरे तरीके से उसको भूमिधर बनाना चाहिए ।

मुझे दुःख के साथ कहना पड़ता है कि यह जो बिल लाया गया है वह एक ऐसे गांव के लिए लाया गया है जिसमें अधिकतर हरिजन काश्तकार हैं । उन हरिजन काश्त-कारों को क्या इसलिए अधिकार नहीं दिया जा रहा है कि उनके पास पहले कभी जमीन नहीं रही तो अब आगे भी उनको जमीन का अधिकारी नहीं बनाया जाना चाहिए ?.....

चौ० रणवीर सिंह (रोहतक) : कौन सा गांव है ?

श्री नवल प्रभाकर : मसीहगढ़ गांव है । उस गांव में सारे काश्तकार हरिजन हैं । एक चर्च की जमीन है जिसमें कि वह लोग काश्त करते हैं । अब वह चर्च के पादरी साहब उनको जमीन पर से बेदखल करना चाहते हैं । यह ठीक है कि सरकार कृपा करके यह बिल लाई और उनको बेदखल नहीं होने देगी और उनको काश्त करने देगी । लेकिन एक दिन ऐसा जरूर आयेगा जब वह पादरी साहब यह कहेंगे कि मेरी जमीन आप ले लीजिये । यहां पर स्कूल बनाइये, अस्पताल बनाइये तो यह जो चर्च के नाम गांव है वह मसीहगढ़ गांव उसको जरूर वापस मिल जायेगा । वह गांव चर्च में चला जायगा या उसका जो एक ट्रस्ट होगा उसमें चला जायगा लेकिन क्या आपने यह भी सोचा है कि उस हालत में काश्तकारों की क्या ही हालत होगी? इस बिल में जरूर इस बारे में प्राविजन होना चाहिए, प्रबन्ध होना चाहिए कि वह लोग जिनके कि ऊपर

यह बिल लागू होता है और इस बिल के एक्ट बनने के बाद जब उनको उनकी जमीन से अलग किया जाये तो उनके लिए मैमा-बिजे की उचित व्यवस्था होनी चाहिए ।

मैं एक बात और कहना चाहता हूं । यहां से हम बिल पास करते है जैसे कि हमने भूमिधर बिल और अन्य बहुत से बिल पास किे । उनके पास होने के बाद हम देखते हैं कि तुरन्त ही मुकद्मेबाजी शुरू हो जाती हैं । अब आप ही अंदाजा कीजिये कि एक तरफ तो लैंडलार्ड है और दूसरी तरफ बेचारा गरीब किसान है जिनकी कि हालत बिल्कुल खस्ता है । एक तरफ तो वह फटे हाल काश्तकार है और दूसरी तरफ वह पैसे वाला लैंडलोर्ड है । अब जब उन दोनों के बीच में टक्कर होती है तो आप स्वयं समझ सकते है कि वह बेचारे कहां उस लैंडलार्ड के सामने खड़ा रह सकता है ? माननीय मंत्री ने कहा कि बहुत से लोगों ने आपस में समझौता कर लिया लेकिन काश्तकार समझौता करने पर मजबूर हो जाते हैं क्योंकि उनके अंदर इतना दम नहीं होता है कि वह अदालत में जाकर बराबर पूरे तरीके से उनसे लड़ सके । अब बेचारा गरीब काश्तकार उस लैंडलार्ड के मुकाबले में कहां वकील को फीस दे सकता है और दीगर मुकद्मेबाजी के अखराजात बर्दाश्त कर सकता है । अदालतों में फैसले भी जल्दी नहीं होते हैं और एक एक साल नहीं बल्कि तीन तीन साल मुकद्मा चलते हो जाता है और लम्बी मुकद्मेबाजी से वह परेशान होकर समझौता कर लेता है क्योंकि गांव से अदालत और अदालत से गांव भागते भागते उसकी बुरी गत हो जाती है । अब वकील साहब कोई हाथ जोड़ने से तो मानते नहीं उनको तो अपनी फीस चाहिए जोकि उसके बस की बात नहीं रह जाती है । मुकद्मा बगैर पैसे के चल नहीं सकता है और पैसा उनके पास होता नहीं है । यह हालत है । जहां भी भूमि-सुधार कानून लागू हुआ है, वहां पचास प्रतिशत केस ऐसे हैं, जिन में लोगों को अदालत का मुंह देखना पड़ा है । हम वह विधेयक लाये, वह बहुत अच्छा है और मैं इस का स्वागत करता हूं, लेकिन मैं चाहता हूं कि ऐसा न हो कि वे फिर अदालत में चले जाये और गरीब आदमी समझौता करने पर मजबूर हो जायें, समझौता हो जाये और वे उस को छोड़ दें । वे भी यही चाहते है । मेरी ये आशंकायें हैं और मैं चाहता हूं कि इन का जरूर निराकरण होना चाहिए ।

16 hrs.

मैं अपनी कम्पेन्सेशन वाली बात को फिर दोहराता हूं कि जिस तरह से मौरूसी काश्तकार को अधिकार है, उसी तरह से कम्पेन्सेशन का अधिकार इन काश्तकारों को भी होना चाहिए ।

Shri Balraj Madhok (New Delhi): Madam, while supporting the general principles and general objective of the Bill, I beg to submit that this Bill only touches the fringe of a big and growing problem. The Indian metropolis, that is Delhi, is growing fast and no one can stop it. With the social and economic policies that we are pursuing, its population is bound to grow and the three hundred villages which today are included in the Delhi territory are bound to be urbanised. Therefore, this problem does not confine itself to 4,000 acres or 1,700 tenants to which this Bill just now applies. Of these 1,700 tenants we are told that about 500 have already been evicted by private arrangement. Why? Because they find that they cannot continue. The pressure of the circumstances is such that few tenants can afford to carry on litigation or quarrel with the landlords and therefore even if they are protected by this Bill, the fact remains that agricultural land which is with them today will not be with them tomorrow, because very rapidly that agricultural land is getting urbanised. Therefore the real problem is not how they can be saved from eviction, but the real problem is what alternative are you going to provide for them.

Now, that can be done in two ways. One is that they should get a share in

[Shri Balraj Madhok]

the enhanced value of the land which is directly resulting from the urbanisation of the territory of Delhi. That is not happening. The advantage of the enhancement of values goes either to the landlords or to the colonisers and the poor tenant who tilled the land and who has no other mainstay, except the land, does not get anything. Therefore, one thing that is needed is that provision should be made that whenever land is acquired by the Government or is taken by a private coloniser the tenant who has no other source of living must get a due share of the enhancement in the value. That is not being done. Even the *marusi* tenants are not being given full compensation. Though they pay land revenue directly to Government, when it comes to the question of payment of compensation, they get only ten annas and six annas go to the zamindars. This is unfair and unjust. Therefore, provision should be made that full compensation should be given to the tenant cultivator.

Secondly, steps should be taken that those people who are getting displaced should get some land elsewhere, where they can carry on their agricultural avocation. There are certain lands in far off areas in Delhi which can be reserved for them; or new Canal colonies are going to come up in Rajasthan where people from outside will have to go. These lands should be reserved for these agriculturists who are getting displaced. The Bill provides that they will not have to pay more than one-fifth of the produce as rent. That is good so far as it goes. But the question is where agriculture is going on production is falling. This is due to the Government notification freezing all the 34,000 acres of land available in Delhi. This has created a state of suspense in almost all the agriculturists. Proper attention to the development of land is not being given by them. The provision in the Bill that they will have to pay only one-fifth of the produce as rent would not be of much help, because there would not be any agriculture; and even if it is there, it is going to languish. Therefore, the real problem is not of providing some relief from eviction but of providing them with some alternative job to live on.

In that respect I would like to draw your attention to the wider question of Delhi's urbanisation. As many hon. Members have pointed out, unauthorised colonies are growing very rapidly. Why? Because the population of Delhi is increasing very fast. People want shelter. They do not have shelter, and they do not have land. Whatever land there was, Government has acquired. Government says that private colonisers were profiteering. True. But the question is: what has the Government done? It has frozen the land, and for the last two years it has only been adopting a dog-in-the-manger policy. It has not developed any land or given any plots to the people who need them. The result is that new constructions have stopped.

There are two results of this. On the one side rents of urban property have gone up in the last two years by one hundred per cent. A house which you could have for Rs. 100 two years back you cannot have for Rs. 200 today. As a result the city house-owner is reaping big profits. On the other side the people who cannot pay that much rent are forced to take recourse to unauthorised constructions. We are blaming them for these unauthorised constructions. But actually our laws, our policies force the people to take recourse to that. They cannot pay that rent, and so these colonies are growing fast. While Government is trying to clear slums on the one side, new ones are coming up very fast in all parts of the Delhi territory.

I would therefore conclude with this. As I said in the very beginning, I am in full sympathy with the general principles of the Bill. But I feel that this Bill is very inadequate: it only touches the fringe of the problem. I would appeal to the hon. Minister to look into the wider question and see

in view of the rapid urbanisation which cannot be stopped. Can you provide relief to those people who are living on agriculture and who will no longer be able to live on agriculture? Secondly, how are you going to provide relief to those people who are coming to Delhi, who are living in Delhi, who want shelter but who cannot get shelter because the shelter is getting costlier? Unless this two-fold problem is looked into and tackled in a wider and realistic way, the problem will go on getting aggravated, and the misery of the people will not end. This is the only submission I have to make.

चौ० रणवीर सिंह : सभापति महोदय, मैं इस विधेयक का स्वागत करता हूं, क्योंकि इस के द्वारा उन मुज़ारों को किसी हद तक, थोड़ा बहुत संरक्षण मिला है, जो दिल्ली स्टेट के उस हिस्से में काश्त करते हैं, जिसे १९५६ से पहले से शहरी हिस्सा कहा जा सकता था। मुझे मालूम है कि दिल्ली शहर के आस-पास के इलाके में कई ज़मीनें हैं, जिन को लीज़ पर दिया जाता है सोसायटियों को और वे सोसायटियां आगे खेती करने वालों को लीज़ पर देती हैं। वह लीज़ का मनी २००, २५० रुपये फी एकड़ तक पहुंचता है। इस से अन्दाज़ा लगाया जा सकता है कि जो भाई शहरी लाकों में खेती करते हैं, उन की क्या समस्यायें हैं। लेकिन कुछ भाई यह भूल जाते हैं, जैसा कि माननीय सदस्य, श्री नवल प्रभाकर ने कहा है, कि यह विधेयक बड़े महदूद इलाके के लिये है। सारी दिल्ली रियासत या दिल्ली टैरिटरी के लिए नहीं है। यह सिर्फ उन लोगों के बारे में है जिन के इलाकों को १९५६ में शहरी इलाके करार दे दिया गया था। लेकिन जैसा अभी श्री बलराज मधोक ने कहा है मैं समझता हूं कि यह जो बिल है यह एक तरह से आंसू पोछने वाला है उन आदमियों के जिन की आंखों के सामने उनकी मौत नाच रही है और दो, चार, पांच, सात, आठ, दस या बाहर साल के अन्दर-अन्दर जिनको कि वहां से उठाया जाएगा। उस वक्त उनको उठाना होगा, अपने खेतों को छोड़ना होगा फिर चाहे वे मुजारे हों या जमीन के मालिक और चाहे भूमिधर। अभी मेरे माननीय सदस्य श्री मधोक ने कहा है कि उन लोगों के दिलों में बड़ी ख्वाहिश है कि जिन के पास घर नहीं हैं, उनको इस बढ़ती जाने वाली दिल्ली नगरी के अन्दर घर मिलें। हर इन्सान चाहेगा कि उसको घर मिले। लेकिन देखना यह है कि किसी को घर देते वक्त हम दूसरे को बेघर न कर दें। लेकिन हो यही रहा है और यही होता चला आया है। दिल्ली शहर जो इतना बड़ा हो गया है, वह कुछ भाइयों को बेघर करके बसा है। मुझे दो चार दिन हुए क आदमी ने जिन की जमीन दिल्ली कैंट में ली गई थी बताया और मुझे कागज़ दिखाया कि १९१२ या १९१८ में उस वक्त की सरकार ने यह कहा था कि जहां वह उसकी जमीन १५ रुपये एकड़ पर लेती है, वहां साथ ही साथ अगर कभी उस जमीन को वह लीज़ पर देगी तो उसी को देगी या उसके वारिसों को देगी। लेकिन आज हालत यह है कि जिस भाई की जमीन प दह रुपये एकड़ के हिसाब से ली गई थी, वह बेघर हुआ फिरता है। उस जमीन को हम जिस काम के लिए वह ली गई थी, इस्तेमाल नहीं कर रहे हैं। जब उसको हम लीज़ पर देते हैं तो उसको या उसके वारिसों को न दे करके दूसरों को देते हैं।

अभी हमारे माननीय सदस्य श्री राधा रमण जी ने कहा कि बहुत सारी जमीन दिल्ली शहर में ऐसी है जिसके बारे में एक्विजिशन नोटिस कई साल पहले निकाला गया था लेकिन आज तक वे जमीनें नहीं ली गई हैं। जमीन के ऊपर एक और नोटिस निकल गया है। उसमें से कितनी जमीन ली जाएगी, कितनी नहीं ली जाएगी और कब ली जाएगी कोई नहीं जानता। यही नहीं, जो कम्पेंसेशन का तरीका है, मुआवजा देने का तरीका है, वह भी अजीब है। अभी चन्द दिन हुए इस की टेबल पर एक स्टेटमेंट रखा गया था और उसमें बताया गया था कि ३४,००० एकड़ जो भूमि ली जाएगी, उसके बारे में कम्पेंसेशन

[चौ० रणबीर सिंह]

का या बटवारे का क्या तरीका होगा। उसमें लिखा है कि जिन भाइयों ने जो जमीन इक्वी प्राप्टी की थी, खरीदी थी, उनका जो बिड मनी है, वह उतना जरूर दिया जाएगा और उससे कोई १५ परसेंट के करीब ज्यादा भी दिया जा सकता है। अभी एक बहुत बड़े अखबार के ज्वाएंट एडीटर मुझ से मिले थे और उन्होंने बताया था कि उन्होंने तीस चालीस हजार की बिड के अन्दर एक जमीन खरीदी और उसकी कीमत सरकार को कम्पेंसेशन बांड की शक्ल में या नकदी की शक्ल में अदा की और अब वह जमीन दिल्ली यूनिवर्स्टी के लिए ली जा रही है। अगर वह जमीन ३४,००० एकड़ भूमि का हिस्सा होती तो उसके मुआवजे का तरीका मुख्तलिफ होता। अब चूंकि वह दिल्ली यूनिवर्स्टी के लिए ली जा रही है, इस वास्ते उसके मुआवजे का तरीका मुख्तलिफ होगा। यह सब उस आदमी का कसूर नहीं हो सकता जिसने जमीन खरीदी है और न ही वह इसके लिए जिम्मेदार ठहराया जा सकता है कि आप किस काम के लिए उसको ले रहे हैं। मगर मैं समझता हूं कि आपके मुआवजे का जो तरीका होना चाहिये वह यकसां होना चाहिये। मुआवजा भी उसको नहीं मिलता है और वह मारा मारा फिरता है और उसको सलाह दी जाती है कि वह अदालत में जा सकता है। यह सही है कि कोई भी अदालत में जा सकता है। जिस की जमीन ली जाती है उसके कम्पेंसेशन के बारे में जो कानून है वह दूसरा है, हिदायतें दूसरी हैं और होम मिनिस्ट्री का ध्यान उस तरफ नहीं गया है। लेकिन जब दिल्ली यूनिवर्स्टी के लिए हम जमीन ले रहे हैं, उसके जो मुआवजे का तरीका है वह तरीका ३४,००० एकड़ वाली जो जमीन है, उससे मख्तलिफ है।

हिन्दुस्तान की सुप्रीम कोर्ट के एक चीफ जस्टिस रह चुके हैं। कल परसों एक दोस्त मुझे बतला रहे थे कि उनका कसूर यह है कि उन्होंने जमीन खरीद ... मकान बनाने के लिए लेकिन किसी सोसायटी के मेम्बर नहीं बने। अब किसी कोआपरेटिव सोसाइटी का मैम्बर बनने के लिए किसी ने सौ दो सौ रुपया दे दिया और अपना नाम लिखवा लिया उनको तो जमीन मिल जाएगी और जिन से जमीन ले ली गई है, वे बिना जमीन के रह जायेंगे। सुप्रीम कोर्ट के जो चीफ जस्टिस रह चुके हैं, उनको उतनी जमीन नहीं दी जा सकती है जितनी उन को जरूरत है। वैसे तो यहां पर समाजवाद है और इसके अन्दर किसी के स्टेटस का कोई लिहाज नहीं है, कोई ऊंचा और नीचा कानून की नजर से नहीं है। लेकिन कुछ भाई हैं जिनको बारह सौ तक मिल जाएगी और उन्होंने खरीदी भी नहीं है सिर्फ सौ दो सौ रुपये दे कर किसी सोसाइटी के मैम्बर बन गए हैं लेकिन जिस भाई ने दस, पंद्रह या बीस हजार रुपया लगाया और जमीन खरीद की है और चाहा है कि मकान बना लूं, उसको जमीन नहीं मिल सकती है, या बहुत कम मिल सकती है। अब अगर किसी का कुटुम्ब बड़ा है, बारह चौदह बच्चे हैं, उसको भी उस हिसाब से नहीं मिलेगी। लेकिन अगर उसने किसी कोआपरेटिव सोसाइटी में नाम लिखा दिया है, तो उसको दूसरे तरीके से अधिक ही जमीन मिल सकती है।

एक बात देख कर बड़ा दुख होता है। हम भी सरकारी मकानों में किराया दे कर रहते हैं। हमें चार सौ मिलता है और हम से डेढ़ सौ रुपया किराया ले लिया जाता है। दूसरी तरफ जो सरकारी अफसर हैं, उनको दस परसेंट ही अपनी तनख्वाह का देना पड़ता है —

Mr. Chairman: The hon. Member mayconfine his speech to this Bill. We are not discussing the general rent structure at the present moment.

चौ० रणबीर सिंह: यह मेरी बदकिस्मती है कि मैं जो कहना चाह रहा था उसको आपको ठीक तरह से समझा नहीं सका हूं।

लेकिन मैं इतना कह सकता हूं कि मैं बिल्कुल रेलेवेंट हूं। मैं यह कह रहा था कि किस जमीन को शहरी कहा जाता है, वह जो एक्वायर की जानी है उसके कम्पेंसेशन का जो तरीका है, वह क्या है। मैं उससे बाहर नहीं जा रहा हूं। एक अजीब हिसाब से हम चलते हैं। मैं बटवारे के तरीके को ही लेता हूं। जिस चीज़ के लिए जमीन ली जाएगी, उसको आप देखें। सरकारी नौकर जब तक वह नौकरी में था तब तक तो वह सस्ते किराये के मकान में रहा। बाद में वह सरकारी नौकरों की कोआपरेटिव सोसाइटी का मेम्बर बन गया। अब नौकरी के बाद उसको चाहिये था कि जिस प्रदेश से वह आया है वहां वापिस चला जाए लेकिन अगर वह वापिस जाना नहीं चाहता है और चाहता है कि यहा दिल्ली में ही रहे क्योंकि यह केपिटल है, तो उस वक्त भी किसी को बेघर करके हम उसको जमीन देते हैं और उस सोसाइटी के जरिये देते हैं जो कि सरकारी नौकरों की बनती है। किसी को बेघर करके हम दूसरों को जो घर देते हैं, यह कोई न्यायप्रद नीति नहीं है।

माननीय श्री मधल प्रभाकर जी ने कम्पेसेशन का जिक्र किया है। एक तरफ उन्होंने मौरूसी मुज़ारों का जिक्र किया और दूसरी तरफ गैर-मौरूसी। अगर गैर मौरूसी मुजारों को भी मौरूसी मुजारा जितना कैम्पेंसेशन मिलना है तो गैर मौरूसी मुजारों को गर-मौरूसी कहने की क्या आवश्यकता है। बहरहाल एक बात मैं नहीं समझा हूं कि अगर किसी मुजारे को उठाया जाएगा तो उसको कोई मुआवजा देने का सिलसिला क्यों नहीं रखा है। मुझे मालूम है कि प्लानिंग कमिशन की यह नीति है कि जिन के पास अपनी जमीन नहीं है या जो दूसरों की जमीन बोते हैं और वह पांच एकड़ से कम है ——

श्री मधल प्रभाकर: इस बिल में जो मुआवजा मिलेगा वह मालिक को मिलेगा, मुजारे को नहीं मिलेगा।

चौ० रणबीर सिंह: मैं वही कहने जा रहा हूं। प्लानिंग कमिशन की नीति है कि जिन मुजारों के पास पांच एकड़ से कम भूमि है उनको अगर बेदखल किया जाता है किसी भी वजह से तो उनके लिए दूसरी जमीन या दूसरे काम धंधे का या पेशे का जब तक कोई इंतिज़ाम नहीं किया जाता है, उस वक्त तक उनको बेदखल नहीं किया जा सकता है और बावजूद इस बात के कि अदालत बेदखली की डिग्री भी दे देती है, तो भी बेदखल नहीं किया जा सकता है। ऐसे कानून सारी रियासतों में हैं। फर्ज किया कि किसी को जमीन के बदले जमीन दी भी जाए तो भी बेदखल करते वक्त उसको मुआवजा जरूर दिया जाना चाहिये। कम से कम इतना तो जरूर होना चाहिये कि उसमें से दस आने अगर मालिक को मिलते हैं तो छः आने मुजारे को मिल जायें या इसका उलट हो जाए कि छः आने मालिक को मिलें और दस आने मुजारे को मिल जायें। जो गैर-मौरूसी मुजारे हैं, उनका भी थोड़ा बहुत इंतिज़ाम जरूर होना चाहिये।

श्री महावीर त्यागी ने कहा, और खास तौर पर विधवा के नाम पर कहा, तो उससे मन्त्री महोदय को जरा दिल में रहम आया। मेरा ख्याल है कि वे शायद इसमें कुछ तबदीली भी करना चाहते हैं, लेकिन मैं इस सम्बन्ध में एक बात कहूंगा। चाहे वह छोटा बच्चा हो चाहे फौज के अन्दर सिपाही हो, या वह विधवा ही हो, या विधवा दुबारा शादी कर ले, उस को जो सहूलियत है वह एक दफा ही मिले। इस बात में मुझे कोई ऐतराज नहीं कि जब वह छोटा बच्चा बड़ा हो तभी उसकी जमीन बेदखल हो सके, हालांकि शायद वह दिन आयेगा नहीं क्योंकि उस वक्त तक शायद यहां महल बन जायें, यह सिर्फ दो या चार साल की बात है, लेकिन मैं समझता हूं कि यह उसके लिये एक भुलावे की बात है। छोटे बच्चे को या जो आदमी फौज में है, उसको अधिकार रहे, लेकिन यह चीज ध्यान में रखी जानी चाहिये कि यह बेदखल करने का अधिकार एक दफा से ज्यादा इस्तेमाल न हो

[चौ० रणबीर सिंह]

सके । विधवा को अधिकार रहे यह जरूरी नहीं कि वह रिमैरेज करे तभी उसे बेदखल करने का अधिकार मिले, या लड़का बालिग बने तभी उसे अधिकार मिले । वह अधिकार उसका रहे, लेकिन उस अधिकार को इस्तैमाल करने का हक एक बार ही होना चाहिये ।

अब मैं ज्यादा समय नहीं लेना चाहता पर आखीर में यह बात जरूर कहना चाहता हूं कि प्लैनिंग कमीशन के हिसाब से इस देश के अन्दर ५ करोड़ ४० लाख एकड़ जमीन कल्चरेबल वैस्ट लैण्ड है, और जैसा कि मधोक साहब ने कहा, राजस्थान के अन्दर बहुत अच्छी भूमि है । वहां नई नहर आयेगी और वह गैर आबाद इलाका है । इसी तरह दूसरे प्रदेशों में भी है । जिस समय गई दिल्ली बसी थी उस समय जिन भाइयों से यहां जमीन ली गई थी उनको पंजाब के अन्दर जमीन दे कर कालोनी बसाई गई । इसी तरह से आज की सरकार जिनका धन्धा छीनती है, उसको उसे धंधा देना चाहिये, और वे दूसरा धन्धा कर नहीं सकते सिवा जमीन पर खेती करने के । इस लिये उनको राजस्थान में या दूसरे प्रदेशों में जमीन के बदले में जमीन देने का इन्तजाम होना चाहिये । यहां जो भाव हो वह सरकार उन को दे और वहां जो भाव हो वह उन से सरकार ले ।

Shri D. C. Sharma (Gurdaspur): Madam Chairman, several persons have welcomed this Bill. But I am not in a mood to welcome this Bill in any sense of the term. This Bill is like a vitamin injection being given to a patient who is going to expire very shortly.

Ch. Ranbir Singh: That is correct.

Shri D. C. Sharma: This injection may be good from one point of view. But nobody would deny that this injection has been too late and that instead of saving the patient in time this injection has only made his death slightly more comfortable. I feel that this is one of those half-hearted measures, one of those measures which show lack of planning on the part of our Ministry and which is not done on a balanced view of what is happening in this country and also in this metropolitan city of Delhi.

We are all full of admiration for the big structures that are being put up in Delhi. But I would respectfully submit that these structures are built upon the blood (*An Hon. Member: Graves!*) of these poor peasants. I do not know why our Government which has so much solicitude for the peasants should not have done something to alleviate their misery and to save them.

There was an English poet Oliver Goldsmith who wrote a poem called the *Deserted Village*. In that poem he gave two lines which are very significant lines.

> "Ill fares the land,
> to hastening ills a prey,
> Where wealth accumulates,
> and men decay"

Let Delhi grow from strength to strength; let Delhi become the paradise for black-marketeers, for Government servants and for Members of Parliament. But I do not think that this Delhi is going to be of any use when I find that the people who had been in possession of the land on which we are building these mighty structures are suffering a kind of liquidation, illegal liquidation, if I may say so. Therefore, the first point I want to make is this. Government which is very fond of appointing committees and commissions and investigation commissions, should appoint straightaway a socio-economic investigation commission and try to find out how the land has passed from the hands of these peasants to the hands of colonisers and also from the hands of colonisers to the hands of

builders. It is a very urgent social problem and I think the Government will be failing in its duty if it does not try to find out what has happened all along the line.

Why I say so is this. If the peasant has got one rupee for the land he sold, the coloniser has got Rs. 20 for the land he has sold to the builder and the builder has been able to reap a profit, by putting up big structures, out of all proportion to the cost of land which he has paid. It is a very big social problem and this problem leads to the concentration of wealth in some hands and to the wrongful acquisition of land from some others. This is the first thing that the Government should do and after having done so, it should find out what profit the builder is reaping, what profit the coloniser is reaping and what loss the poor peasant has suffered. After that they should try to give to the peasant his due and should bring forward a Bill, complementary and supplementary to this Bill in which it should be shown that all the land that the Government has acquired from the peasant and all the land that the other agencies have acquired from the peasant have been properly assessed and that the poor peasant is going to be given a proper share of the profit which all these agencies have reaped. I think this is what social justice requires. I know that social justice is one thing and administrative justice, another. Administrative justice will find a pallative in bringing such half-hearted measures. But I stand for social justice and I say that this should be properly enquired into, and no peasant should say that he has had a wrong and unfair deal and no peasant should pass before a mighty structure and say to himself: "Look here, I am without a shelter nor do I have any means of livelihood but these structures have been put up over the land which my grandfather tilled and which my father tilled and which I too tilled at one time. That land has been taken away from me by giving me some kind of compensation which is not in keeping with the advantage which those persons who acquired the land from me got."

The first thing is that you must appoint the Commission. The second thing is that you must try to compensate the person from whom you have taken the land and the third thing is that, if you are not able to give this poor peasant compensation, you must take in hand the problem of this resettlement. This is a problem which you cannot shirk. I think that a contented and happy peasantry, a prosperous peasantry, is the backbone of a prosperous India and if you try to build imposing structures by depriving them of their land, you are trying to cut the ground from underneath the prosperity of India. Therefore, that is the first point that I want to make in regard to this Bill.

My second point is in regard to clause 3 of the Bill. Under what circumstances are these peasants going to be evicted? I know this Bill is there to prevent these peasants from being evicted. It is a noble idea, a fine idea. But somehow it so happens that the noble idea or the operative clause is vitiated by the exemptions that are given. Here is an exemption in clause 3. In fact, the exemptions are so many that I tell you that no peasant will be able to evade eviction. One can bring a suit against him saying that he has not paid arrears of rent. These ignorant and illiterate peasants cannot be any match for those persons who own lands and who are there as proprietors.

Then, the authorities can say that "this man has failed to cultivate the land; this man has not made use of the land for the purpose for which it was meant." I think clause 3 of the Bill is a very ingenious one framed in the quiet of the Home Ministry. It is a clause which is a challenge to the tenants and which says to them: "Do what you may; you cannot be saved from eviction." There are so many exemptions given here that any

[Shri D. C. Sharma]

tenant can come within the mischief of anyone of these sub-clauses. You will see that so many persons will be put to trouble only because of all these provisions.

My hon. friend Shri Tyagi is a great advocate of widows and widowers, and naturally so. I admire him for that.

Ch. Ranbir Singh: The hon. Member is also a widower!

Shri D. C. Sharma: But I cannot understand how he can save these widows from coming within the mischief of these provisions. Ch. Ranbir Singh was saying that something is going to be done to prevent widows from coming under the purview of these clauses. But I tell you that so long as our lawyers are alive and so long as our courts of law are open, I think that clause 3 is going to be a clause which is going to do a lot of mischief so far as eviction is concerned, and there is going to be no relief.

My third point is this. The Government, in clause 1(2), has reserved to itself certain rights. It says that these provisions would not apply to what the Government acquires. I am conscious of the needs of the Government in this matter and I think if these needs are justified, the Government may do something after paying due compensation to the persons from whom the land is taken. I would also say that what the Government is going to ask for itself, should also be given to those trusts and religious and educational bodies which are doing good to the public, that is to say, if there is some area which has been taken for public utility or for medical purposes or for some purpose which is good for the public, I think that area also should have the same privileges which the Government has reserved for itself. Of course, I would say that we should see to it that the taint of commercialisation is not found on these bodies. If there is a school where they are charging more fees than necessary, a religious body which is making money out of something, a hospital which is making money out of the suffering of other people, if there are such things, they do not deserve any of our sympathy. They should not be given any concession. But those institutions which are serving educational or medical ends in an unadulterated fashion should be given some kind of concession which the Government itself is enjoying.

I think religion is a very important thing in my country and religion should be given all kinds of concessions. But I also believe there are other things along with religion. There are charitable institutions which are doing the same amount of good to my country. I believe those institutions should also be given some kind of concession which they have been given.

Lastly, the Chief Commissioner has been made here practically the sole judge of these things. I do not yield to anybody in my respect for the Chief Commissioner; I have great respect for all administrators and officials and I respect the Minister also. But I do not want that any officer should be given so much authority. Therefore, I believe that something should be done, so that the Chief Commissioner is not made the sole judge of these matters.

With these words, I think this is a very very inadequate Bill and that some supplementary Bill should be brought in, so that its purpose may be fully served.

Shri Datar: I am obliged to hon. Members for the support, rather the extent of the support, they gave to this Bill. There were other hon. Members who raised certain objections more or less on account of a misapprehension of the correct position of the present Bill. That is why I should like to reply to the points raised by the hon. Members.

Shri Braj Raj Singh and also certain other hon. Members thought that this was something like a zamindari abolition Bill or the Land Reforms Act that was passed by the Delhi Legislature a few years ago. So far as land reforms are concerned, you will agree that these land reforms had to be brought about after great consideration, in respect of the agricultural lands in the rural areas. In Delhi, there was a Land Reforms Act which largely followed the principles laid down in the U.P. Zamindari Abolition and Land Reforms Act and very important and substantial rights of *bhoomidari* were given to the tenants. That was in accordance with the policy that the Government have been following, of investing the actual cultivators of the land in the rural areas, with substantial proprietary rights. After dealing with all these cases, now what we are concerned with is the urban area. Till now, either under the Act of 1954 of the Delhi Legislature or certain amending Acts passed by this hon. Parliament, the urban area was completely excluding from the operation of these reforms for obvious reasons. One was that inasmuch as this was an urban area, naturally it was to be utilized for the purpose of the development of Delhi city and its suburbs.

Shri Braj Raj Singh: At the cost of the peasantry.

Shri Datar: No question of "at the cost" now. May I explain the whole position? The hon. Member will kindly bear with me and hear me. It is not a good habit to go on interfering with a speech and interrupting.

Shri Braj Raj Singh: May I point out that it is my fundamental right?

Shri Datar: There is no fundamental right to obstruct.

Mr. Chairman: Order, order.

Shri Braj Raj Singh: Making interruption is a fundamental right.

Mr. Chairman: Nobody should rise in his seat when I am standing.

Shri Braj Raj Singh: But the hon. Minister is standing.

Mr. Chairman: May I say that there is no such thing as fundamental right of interruption in a debate? There are times when the speaker yields the floor. Then hon. Members are at liberty to ask any question or make interpolations. When the hon. speaker does not wish to yield the floor, I think it is only proper that the hon. Members do not insist upon making interruptions. Now I will be obliged if the hon. Minister is allowed to conclude his speech, because there are only 20 minutes to 5, and the House has to adjourn at 5 o'clock.

Shri Braj Raj Singh: May I just explain? I do not want to say anything about the ruling and I quite agree with you. But is it correct for the hon. Minister to take the powers of the Chair into his own hands? It is for you to decide not for the Minister.

Mr. Chairman: May I say that the Chair can look after itself and there is no need at this particular moment to protect the Chair? There may be occasions when the Chair may have to be helped, but that is not the case at the present moment.

Shri Datar: I was pointing out that this was an urban area and, therefore, the urban area was excepted from the general provisions relating to land reforms. But, ultimately, Government found that even in this area there were certain agricultural lands and there were certain tenants who require protection for the time being, so far as certain reliefs were concerned, because the process of urbanisation naturally takes place not immediately but gradually. That is the reason why I made it clear in my opening speech that here in this case we are dealing with urban areas. Even in respect of urban areas we are dealing with lands mostly covered by

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notifications issued by the Chief Commissioner of Delhi under which, in the course of the next few years, these lands will have to be acquired for the benefit of the people.

So, with this background we have to consider the question, not from the rural point of view, not from the general land reforms point of view. If that is appreciated, then most of the criticism that has been very unwarrantedly levelled at us will have to disappear or will have been met quite satisfactorily. My hon. friend, Professor D. C. Sharma, contended that this was some injection which would merely protect the process of life for some time. May I tell him that it is our desire to see that the tenants as a class, the peasantry as a class, are entitled to the fullest rights, so far as any area is concerned?

Shri Braj Raj Singh: Question.

Shri Datar: But we should also take into account the circumstance that the development of Delhi has a bearing upon the advantages that the peasantry will be entitled to have. Let us not, for certain other motives, make, what we call, a bogey of the rural areas, of the tenants, of the land-lords, of the urban areas and the rural areas, because the development of Delhi, may it be understood very clearly, will be of the greatest advantage both from the point of view of general benefits as also from the point of view of employment to the various poor people including the peasants in the Delhi territory and the surrounding areas. If this background is understood, I am confident that the objections that have been raised will have to disappear without any further attention being given to them.

The next point that I should like to deal with is about certain objections that were made by hon. friends. My hon. friend, Shri Tyagi who is generally careful in going through such Bills, has pointed out certain difficulties and I thought that it might be better to make the position in the provisions of this Bill clear beyond all doubt. Another hon. Member also brought before us certain difficulties in repect of one of the clauses. In fact, Professor Sharma gave us the credit by saying that we invented in the Home Ministry the wordings of a particular provision in clause 3. That is entirely wrong. My hon. friend, Professor Sharma, made a reference to clause 3(1) (b) which reads as follows:—

> "where rent is payable in kind that he has without sufficient cause failed to cultivate the land in the manner or to the extent customary in the locality in which the land is situated;".

May I point out to my hon. friend, with due deference to our professors, that sometimes they are unrealistic also to a certain extent, they are academic also and without considering they go on charging us. May I invite his attention to the fact that a piece of legislation which has been in use in the Punjab State contains this self-same clause, this very clause. The Punjab Act contains this clause and we have borrowed it from the hon. Member's provincial legislation. All the same, in spite of this . . .

Shri D. C. Sharma: Does he mean to say that I will not criticise any enactment of Punjab if it does not conform to social custom? (*Interruption*).

Shri Datar: Anyway, I want to absolve myself from what he calls ingenious manipulation. That is entirely wrong.

All the same, may I point out that inasmuch as some words are likely to be interpreted in a manner which may not be correct, I am puting in

an amendment according to which these words, namely,—

> "in the manner or to the extent customary in the locality in which the land is situated".

are going to be omitted. I hope my hon. friend will be satisfied to know that we are going to omit these expressions which we had borrowed from his State.

Shri D. C. Sharma: All States are one. All States are yours.

Shri Datar: My hon. friend, Shri Tyagi made a reference to clause 3, sub-clause (2)(b) and stated that the words "within two years" therein were likely to be disadvantageous to the persons for whom this period of limitation was laid down. He believed that there were certain persons under disability who might like to take advantage even during the period of their disability of certain benefits. The underlying principle was that a person under disability is a person naturally under disability in the sense that he cannot take advantage of that. All the same, with a view to accommodate his suggestion which is understandable what we are doing is that for the expression "within two years" we are having the expression "not later than two years". So that would meet his objection.

Shri Tyagi: That is right.

Shri Datar: Then my hon. friend, Shri Braj Raj Singh wanted some figures as to how many acres of land had been there in respect of which there were evictions. I would give the figures to him. So far as tenants ejected in court are concerned, their number was 19 and the area involved was 21 acres. So far as tenants ejected out of court or privately are concerned, they were 477 in number and the total acreage was 482. Thus you will find that 496 tenants had been ejected and the area from which they were ejected was 503 acres. This has to be considered against the background of 4,000 acres of land and about 1,200 tenants.

Then it was contended that these persons ought to be entitled to a share in compensation. I have pointed out that whenever any of these lands were acquired compensation will have to be paid under the Land Acquisition Act. Now when compensation is to be paid, these tenants also are entitled to compensation. It is not that the landlord will take the whole amount of compensation. These tenants also will have a substantial compensation to their share.

Shri Narayanankutty Menon (Mukandapuram): What is the quantum of compensation?

Shri Datar: It depends upon the length of their occupation. I have got here some figures according to which the occupancy tenants get more than even the landlords. Otherwise the landlords would get more normally. So, the length of the period of occupation is a factor which is taken into account. I may therefore assure the House that they also would be entitled to proper compensation.

So far as religious and charitable institutions are concerned, most hon. Members who criticised this provision had not observed the expression "requires the land *bona fide*". The starting of a hotel, as my hon. friend suggested; might not be a *bona fide* purpose.

Shri Braj Raj Singh: You have not defined it.

Shri Datar: In any case, the word "*bona fide*" is there; and if anything is done *mala fide*; dishonesty or disingeniously they cannot have the advantage of this.

My hon. friends on the other side criticised very strongly the concessions that have been given to religious or charitable institutions. They do not want anything so far as religion is concerned. All the same we have

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to look after these religious institutions and I might tell my hon. friend Mr. Sharma, that the word "charitable" includes educational, medical or any work which is done without any idea of profit, with a view to benefit the community. Therefore, these words have great value.

Then the words "dwelling house", "cattleshed" or "business premises" have been purposely introduced. The urban population and the rural population would mix together and inspite of what certain quarters said, they would mix harmoniously and the false distinction that is sometimes sought to be made between the rural population and the urban population, or between the landowner and the tenant, has to go. After all, we are one. We have to look after the whole society and greater attention has to be given to those who are not well situated, who are poor and to whom greatest advantages have to be given.

Shri Tyagi: I would like to have one clarification. The amendment my hon. friend has accepted seems to be quite satisfactory. Would he, however, make it quite clear, that during the days when this disability occurs on a young child, or a minor for instance, if somebody wants to build some house for the children. .

Shri Datar: I have met the substance of the hon. Member's contention.

Shri Tyagi: Will he be qualified to eject the person and build his house during that period?

Shri Datar: I would tell the hon. Member not to take any further commitments from me. The wording is very clear. "Not later" means that the earlier period does come in.

श्री नवल प्रभाकर : मैं एक प्रश्न पूछना चाहता हूं । जो मौरूसी काश्तकार हैं, कई जगहों पर उन को जैसा कम्पेन्सेशन मिला है, क्या माननीय मन्त्री इन लोगों को भी उस कैटेगरी में रखने के लिये तैयार हैं ?

Shri Datar: So far as these persons are concerned, even though they are in urban areas, they have to be looked after and that is our general policy, as one hon. Member said in the course of his general observations.

Mr. Chairman: The question is:

"That the Bill to provide relief to the tenants of land in the urban areas of the Union territory of Delhi, be taken into consideration."

The motion was adopted.

Mr. Chairman: We will now proceed with the clause-by-clause consideration. There are six amendments given notice of by Shri Ansar Harvani. He is not in the House. So nothing is to be done about those amendments. There are two amendments proposed by the hon. Minister which we will consider under clause 3.

Now I will put clause 2 to the vote of the House.

The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3— (*Grounds of ejectment of tenant*)

Shri Datar: I beg to move:

(i) Page 2; lines 34 and 35; *omit*—

"in the manner or to the extent customary in the locality in which the land is situated".

(ii) Page 3, line 14,—

for "within" *substitute* "not later than".(8).

Shri Tyagi: Why not "within the period not later than two years"?

Shri Datar: Instead of "within two years" it will be "not later than two years".

Shri Tyagi: Within a period not later than such-and-such— that will be clear. The period will start from that date. Otherwise that doubt will be there.

Mr. Chairman: Shri Braj Raj Singh.

श्री ब्रजराज सिंह : सभानेत्री जी, माननीय मन्त्री जी की तरफ से क्लाज 3 में जो अमेंडमेंट पेश किये गये हैं, उन में से अमेंडमेंट c के सम्बन्ध में मैं कुछ सफाई चाहता हूं। उसमें कहा गया है कि "विदिन" के स्थान पर "नाट लेटर देन" रख दिया जाये। ऐसा लगता है कि इस संशोधन को पेश कर के मन्त्री महोदय उन अक्षम लोगों को, डिसेबल्ड लोगों को, इजैक्टमेंट का अधिकार दे रहे हैं, जिन को डिसेबिलिटी की सूरत में इजैक्टमेंट कराने का अधिकार नहीं है। यह बहुत गलत होगा, क्योंकि डिसेब्लिटी की हालत में ही उन लोगों को यह अधिकार है। जिन काश्तकारों के पास जमीन है, वह इसलिये है कि उनके जो लैण्डलार्ड हैं, वे डिसेबल्ड हैं। यदि यह संशोधन पेश करके मन्त्री महोदय की यह इच्छा है कि डिसेबिलिटी की हालत में भी इजैक्टमेंट कराने का अधिकार उन लोगों को मिल जाये, टेनांट्स को बेदखल कराने का अधिकार उन को मिल जाये, तो यह इस बिल के उद्देश्यों के खिलाफ जायगा। अब अगर हम यहां यह रख देते है :

> "....and the proceeding for ejectment is instituted not later than two years from the date when he ceases or has ceased to be a person under disability."

17 hrs.

और सब कुछ बाकी रहता है, तो मैं समझता हूं कि इस का कोई अर्थ नहीं निकलता। मैंने इस क्लाज के सम्बन्ध में जो कुछ कहा था, खास तौर से रिलीजस इंस्टिट्यूशन्स के सम्बन्ध में, उससे मैं समझता हूं कि मन्त्री महोदय को कुछ गलतफहमी है। इस की मंशा ऐसी नहीं है कि मैं जो विरोध करता हूं वह कोई धार्मिक भावना का आदर न करने के कारण करता हूं, या धार्मिक भावना अच्छी नहीं होती है, या यह कि धार्मिक संस्थायें अच्छी नहीं हैं। मैंने जो प्वाइंट उठाया था उसे मैं दोहराना चाहता हूं और चाहता हूं कि मन्त्री महोदय उस पर विचार करें। आप जो धर्म की बात करते हैं तो वह काश्तकार की कुर्बानी करने के लिये करना चाहते हैं या अपने आप करना चाहते हैं ? अगर काश्तकार की कुर्बानी करके आप धार्मिक भावना से कोई बात कहते हैं तो मैं समझता हूं कि वह धार्मिक भावना ठीक नहीं है। जैसा मैंने कहा था, होटल बनाना "बोनाफाइड" कारणों में आयेगा या नहीं ? इसकी कोई परिभाषा होनी चाहिये कि क्या क्या चीजें होंगी जिन को "इन फर्दरेन्स आफ दि आब्जेक्ट्स" कहा जा सकता है। जब तक यह निश्चित नहीं होगा तब तक बहुत सी चीजें रह जायेंगी जिन के लिये कहा जायेगा कि उद्देश्य की पूर्ति के लिये है। इससे अदालत में मुकदमे चलेंगे और पैसा बरबाद होगा। तो यदि आप को उद्देश्य की सफाई करनी है और कहना है कि हम उद्देश्य की पूर्ति के लिये यह करना चाहते हैं, तो इसकी सफाई हो जानी चाहिये।

Shri Datar: I shall reply to the latter point. So far as the latter point is concerned, my hon. friend wanted to make a distinction between the rights of the tenants as such and the rights of the religious institutions. So far as the present amendment is concerned, what we have done is to hold a balance equitably between the rights of the institution and the rights of the tenants as such.

Under the scheme of this Bill, the tenants will not be affected at all. The tenants will continue in possession of the lands held by a religious or charitable institution, but the lands

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will be taken away only provided *bona fide* they are required for furthering the cause or the purpose of the institution. Only in that case, the tenants will be dispossessed. Otherwise, the rights of the tenants are supreme. They have been kept as they are.

Shri Tyagi: Before you put the amendments to vote, I would like to move an amendment to the amendment. Since these amendments were not given notice of earlier, we could not give notice of amendments to these amendments. The amendment seeking to substitute the word 'within' by the words 'not later than' is welcome.....

Shri Datar: That is a different amendment altogether.

Mr. Chairman: I am afraid that it is time for the House to adjourn now. The amendment to the amendment may be given notice of.

17.04 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday; May 2, 1961/Vaisakha 12; 1883 (Saka)

[*Monday, May 1, 1961/Vaisakha 11, 1883 (Saka)*]

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4191.	Cases in Tripura Courts	14615
4192.	Working of Cooperative Societies in Old Rehabilition Centres, Tripura	14616
4193.	Administrative staff of former Ministers and of Lgislative Assembly of Himachal Pradesh	14616-17
4194.	Boat seized in Adnaman Islands	14617-18
4195.	Colonies for S.C. and S.T. in Orissa	14618
4196.	Assistance to flood-stricked in Orissa	14618-19
4197.	Training abroad of Statistician in Central Institute of Education	14619-20
4198.	Coal finds in Dhir District (Maharashtra)	14620
4199.	Conference of sports goods manufacturers	14620
4200.	Engineering College a Anantapur	14621
4201.	Indian army men in Congo	14621-22
4202.	Srinagar and Chandigarh Airports	14622
4203.	Unauthorised colonies in Delhi and New Delhi	14623-24
4204.	Refixation of pay of Government employees	14624-26
4205.	Licences to S.C. in Delhi for coal, iron and steel	14626
4206.	Linguistic minorities	14626-27
4207.	Thefts of taxi meters	14627
4208.	Dharara Mosque in Banaras	14627-28
4209.	M.E. School at Kala (Orissa)	14628
4210.	Trips to Hill stations by Government employees	14628

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
4211.	Stores purchased by C.O. D. Delhi Cantt. for Indian troops in Congo	14629
4212.	Public relations drive in Oil Industry	14629-30
4213.	Criminals in Manipur	14630
4214.	Decline in foreign assets and increase in Reserve Bank advances	14630
4215.	Removal of lepers to a new colony	14631
4216.	Journalistic posts in Defence Ministry	14631-32
4217.	Automatic fire alarms in Delhi	14633
4218.	Correspondence with Accountants General in Hindi	14633-34
4219.	Appointment of Liaison Officers in Home Ministry	14634-35
4220.	Hindi equivalents	14635-36
4221.	Hindi in Delhi Police Department	14636
4222.	Translation of manuals etc. in Hindi	14636-37
4223.	Hindi translation in Law Ministry	14637-38
4224.	Engineering college at Palghat	14638-39
4225.	Jeeps for Punjab for food production drive	14639
4226.	Imphal Sporting Club	14639-40
4227.	Recommendations of Committee on Protective Clothing	14640
4228.	Treaties and agreements in Hindi	14640-41
4229.	Registration of societies	14641
4230.	Hindi forms	14641-42
4231.	Correspondence in Hindi	14642-43
4232.	Import of petroleum products	14643
4233.	Mazagon Dock Ltd., Bombay	14643-44
4234.	Canadian Defence Team	14644
4235.	Military schools	14644-45
4236.	Free education for children of Defence Employees	14645-46
4237.	Sambalpur District of Orissa	14646
4238.	Legal aid to Scheduled Tribes and Scheduled Castes	14646-47
4239.	Pending cases in Orissa	14647
4240.	Seizure of illegal mint in New Delhi	14647-48
4242.	I.A.S. Officers	14648-49
4243.	Murder of milkman in Delhi	14649-50
4244.	Quotas for stainless steel to firms in Jagadhari (Punjab)	14650-51
4245.	Government Co-educational Higher Secondary School, Sarojini Nagar, New Delhi	14651
4246.	Government Girls H. S. School, Sarojini Nagar, New Delhi	14651-52
4247.	Foreign exchange through illegal means	14652
4248.	Dictionaries in regional languages	14653
4249.	Public Employment (Recruitment as to Residence) Act	14653

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 14654-55

Shri Hem Barua called the attention of the Minister of Railways to the recent accident to the 8 Up Howrah-Puri Express resulting in the death of one person and injuries to many others

The Deputy Minister of Railways (Shri S.V. Ramaswamy made a statement in regard thereto and also laid on the Table a copy thereof.

PAPERS LAID ON THE TABLE 14657-58

(1) A copy each of the following papers :

(i) Annual Report of the Indian Oil Company Limited for the period from 30th June, 1959 to the 31st March, 1960 along with the Audited Accounts and the comments of the Comptroller and Auditor-General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956

(ii) Review by the Government of the working of of the above Company

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(2) A statement showing the extent of operation of ban on recruitment in various Ministries/Departments during the year 1960, in pursuance of the recommendation contained in paragraph 28 of the Ninety-second Report of the Estimates Committee

(3) A copy each of the following papers :

(*i*) Annual Report of the Council of Scientific and Industrial Research for the year 1960-61 along with the Audited Accounts for the year 1959-60, under Rule 79 (iv) of the Rules and Regulations and Bye-laws of the said Council. . . .

(*ii*) Annual Technical Report of the Council of Scientific and Industrial Research for the year 1959-60 .

(4) A copy each of the following Reports of the Law Commission :

(*i*) Sixteenth Report on the Official Trustees Act, 1913

(*ii*) Seventeenth Report on the Trusts Act, 1882 .

MESSAGES FROM RAJYA SABHA. . . . 14658-59

(*i*) Secretary reported the following mesasages from Rajya Sabha :

(*i*) That Rajya Sabha had concurred in the recommendation of Lok Sabha to nominate seven members from Raiya Sabha to associate with the Committee on Public Accounts of Lok Sabha, and had communicated the names of members of Rajya Sabha who had been elected to the Committee

(*ii*) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Finance Bill, 1961, passed by Lok Sabha on the 22nd April, 1961 .

PRESIDENT'S ASSENT TO BILLS— 14659

Secretary laid on the Table the following Bills passed by the Houses of Parliament during the curent Session and assented to by the President since the last report made to the House on the 17th April, 1961 :

(1) The Apporpriation (No. 2) Bill, 1961 .

(2) The Orissa State Legislature (Delegation of Powers) Bill, 1961 .

(3) The Finance Bill, 1961 .

REPORT OF COMMITTEE ON ABSENCE OF MEMBERS FROM SITTINGS OF THE HOUSE PRESENTED 14661

Twenty-fourth Report was presented. 14461-66

REPORT OF COMMITTEE OF PRIVILEGES ADOPTED

Twelfth Report was adopted .

BILL REFERRED TO SELECT COMMITTEE 14667-14703

Further discussion on the motion to refer the Income-Tax Bill, 1961 to a Select Committee concluded and the motion was adopted . 14703-86

BILL UNDER CONSIDERATION

The Minister of State in the Home Affairs (Shri Datar) moved that the Delhi (Urban Areas) Tenants' Relief Bill, 1961 be taken into consideration. The motion was adopted. The clause-by-clause consideration of the Bill was taken up, but not concluded.

AGENDA FOR TUESDAY, MAY 2, 1961/VAISAKHA 12, 1883 (Saka) .

Further clause-by-clause consideration and passing of the Delhi (Urban Areas) Tenants Relief Bill, and also consideration and passing of the following Bills :

1. The Marketing of Heavy Packages (Amendment) Bill . . .

2. Appropriation (No. 3) Bill, 1961. .

3. Appropriation (Railways) No. 3 Bill, 1961 .

4. Coal Mines (Conservation and Safety) Amendment Bill . . .

Discussion and voting on Demands for Excess Grants (General), 1958-59 and

Demands for Excess Grants (Railways) 1958-59 .